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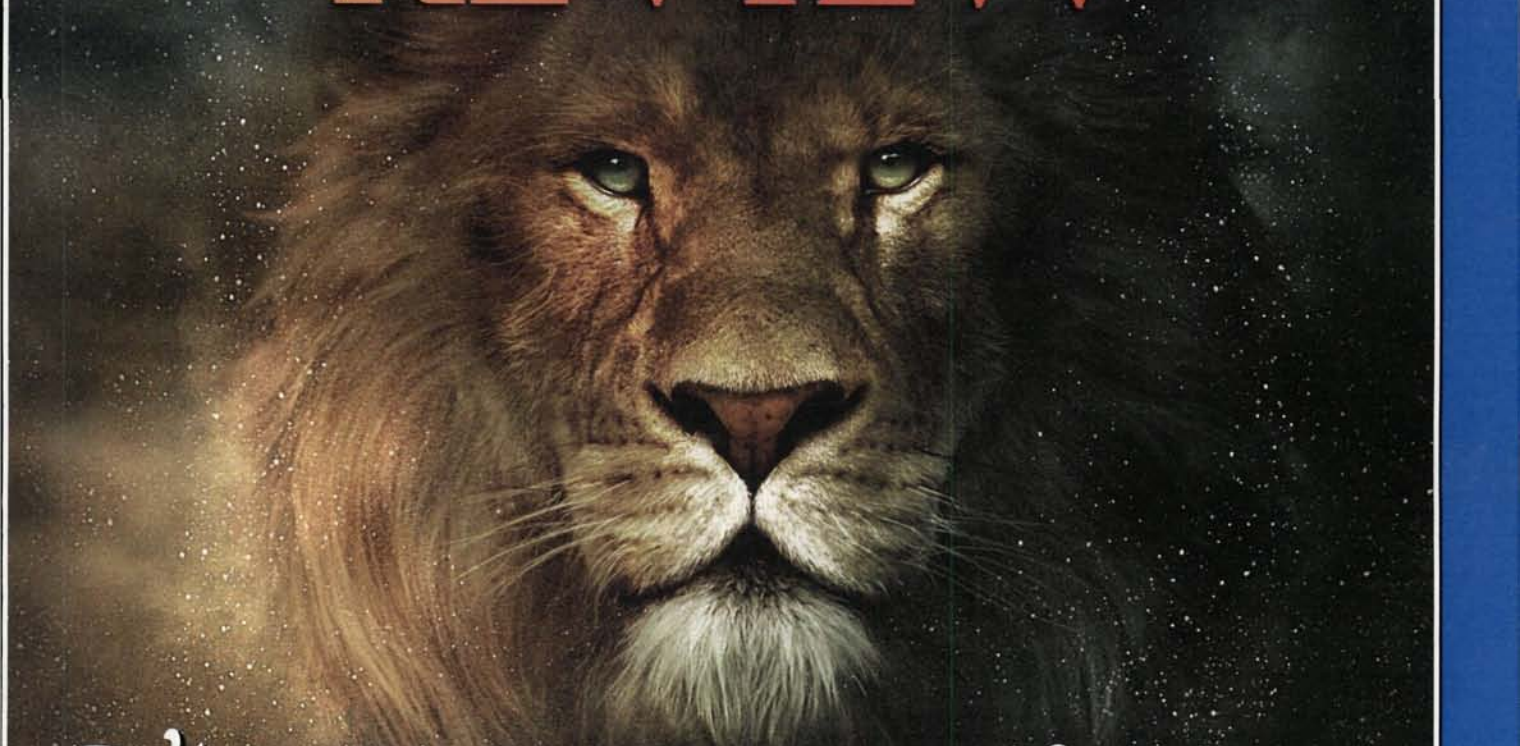
BYRON YORK: The Dishonest Attack on Wal-Mart

NATIONAL REVIEW



The Lion King

'NARNIA' THE MOVIE, AND THE ENDURING IMPORTANCE OF C. S. LEWIS

BY JOHN J. MILLER

PLUS:

ANTHONY DANIELS, MARK STEYN : France in Flames

JAY NORDLINGER: Michael Steele, Maryland's Rising Star

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DECEMBER 5, 2005 VOL. LVII, NO. 22

NATIONAL REVIEW

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COVER STORY

The Lion, the Witch and the Wardrobe is both a fantastic adventure story and a profound expression of Christian belief. Because of this, C. S. Lewis's famous tale not only stands on the threshold of blockbuster success, but also holds the potential to become the next great battleground in the culture wars. *By John J. Miller*

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letters to the editor

THE ESTABLISHMENT, ANEW

John J. Miller's "Pariahs, Martyrs—and Fighters Back" (Oct. 24) casts some much-needed rays of sunlight on the double standards currently running rampant on our nation's campuses. The academic establishment jealously protects the free speech and academic freedom of the likes of Ward Churchill, but time after time violates the rights of those who don't toe the party line. Prof. Thomas Klocek, a conservative, Kerry-supporting Democrat whose situation Miller examined in detail, was fired from DePaul University for engaging students in a heated discussion about Israel and the Palestinian territories. (He was butting heads with students who compared Israel to Nazi Germany.)

It turns out DePaul's war on liberty is continuing. In October, administrators removed a flier that the DePaul College Republicans had posted to criticize an upcoming speech by—who else?—Ward Churchill. The students noted that Churchill once said "Right on!" regarding the 9/11 terrorist attacks, and they labeled Churchill a "hatemonger." Apparently that relatively straightforward conclusion violated a DePaul prohibition on "propaganda"—but, needless to say, Churchill's own speech was judged to be on a higher intellectual plane.

DePaul, unfortunately, is living proof that it is not just professors like Klocek who are in trouble these days: Thanks to widespread speech codes (cloaked as they are beneath unassuming names) and mandatory diversity training, students do not have it any better. How ironic that the very folks who challenged "the establishment" in the Sixties now make it up—and they happily deny others the rights they so vociferously demanded for themselves.

Charles Mitchell
Philadelphia, Pa.

ORDERS OF TRUTH

John Derbyshire's report of new scientific discoveries about evolutionary processes tells us not to fear new knowledge ("The Specter of Difference," Nov. 7). In his concluding paragraph, Derbyshire, a self-proclaimed Darwinist, looks beyond science for corroboration: "We have it on good authority, though, that we shall know the truth, and the truth shall make us free. I believe that if we hold fast to faith in that proposition, and trust science to uncover the truth, neither we nor our country will come to any harm."

There's one small problem. One must understand the context of those words, from John 8:31–32: "If ye continue in my word, then are ye my disciples indeed; and ye shall know the truth, and the truth shall make you free." This is a different order of truth.

John A. Howard
Rockford, Ill.

THE OLD BLACK

I am proud to be a product of the Midwest, and now that I have read of Richard Brookhiser's difficulties locating black jeans ("The Hunt Is On," Oct. 24) I am feeling even more self-satisfied.

Were Mr. Brookhiser to visit the great metropolitan area of Peoria, Ill., he would find plain black jeans—all sizes, not faded, products of various manufacturers, name brand and generic, regular, boot cut, more expansive—available at either Sears or J. C. Penney. (We have TJ Maxx in these parts, too, but more discriminating types still shop at the aforementioned emporia.)

It is generally said that the Midwest is several years behind the times, i.e., behind whatever has happened on either coast. I suppose, therefore, that we are "very Nineties." However, in light of Mr. Brookhiser's problem, perhaps to be "very Nineties" is not all bad.

John Richmond
Bartonville, Ill.

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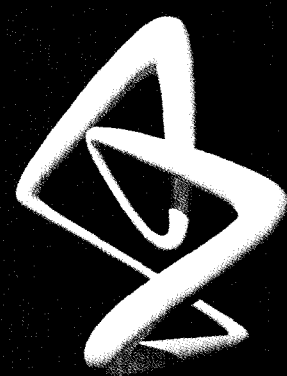
What Does This Stand For?



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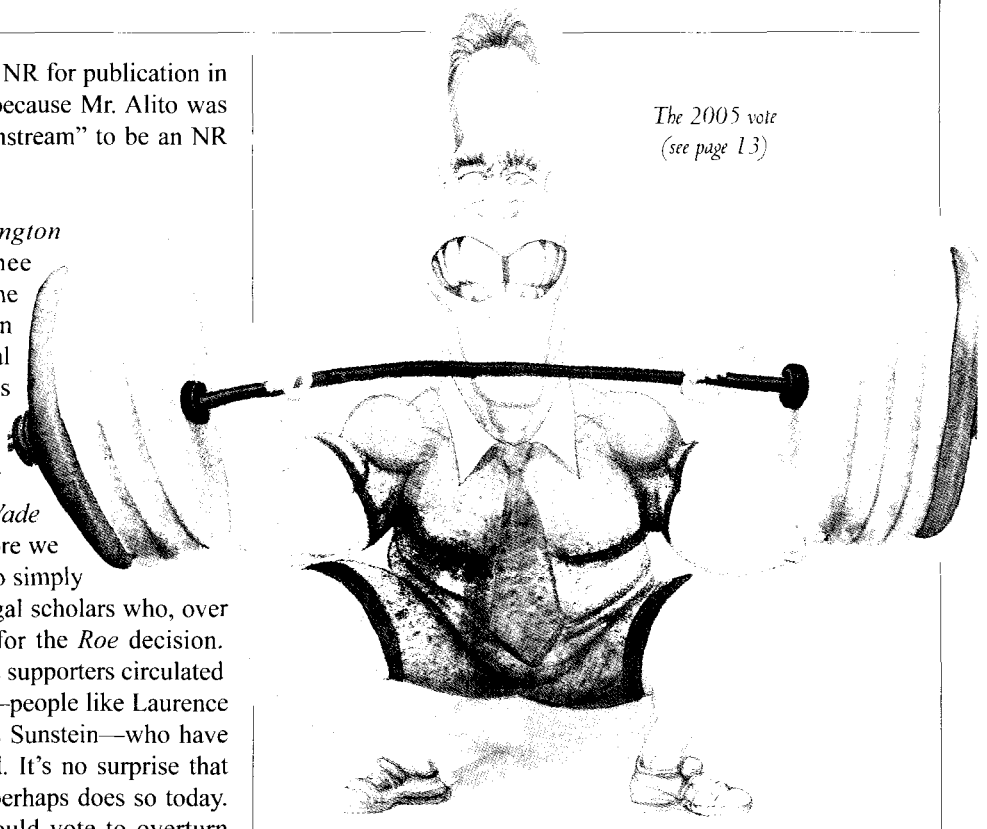
THE WEEK

■ Samuel Alito submitted an article to NR for publication in the 1980s. We apparently rejected it, because Mr. Alito was not nearly far enough "out of the mainstream" to be an NR author.

■ The story—broken by the *Washington Times*—that Supreme Court nominee Samuel Alito wrote, in 1985, that "the Constitution does not protect a right to an abortion" set off a furor among the usual suspects in the stop-Bush-nominees coalition. Ralph Neas, head of People for the American Way, said Alito's views are "consistent with the efforts of the radical right to overturn *Roe* v. *Wade* and many other decisions." But the more we look at it, the more it appears that Alito simply agrees with a number of pro-choice legal scholars who, over the years, have questioned the basis for the *Roe* decision. Shortly after the story came out, Alito's supporters circulated quotes from several liberal legal stars—people like Laurence Tribe, Ruth Bader Ginsburg, and Cass Sunstein—who have said that *Roe* was dreadfully reasoned. It's no surprise that Alito agreed with them in 1985, and perhaps does so today. That doesn't necessarily mean he would vote to overturn *Roe*—he might believe that so many people have relied on the law for so long that it should remain standing—although we would like to see that happen. By the way, while abortion is a serious issue that will be explored at length during Alito's confirmation hearing, we found another part of Alito's writing particularly intriguing. "When I first became interested in government and politics during the 1960s," he wrote, "the greatest influences on my views were the writings of William F. Buckley, Jr., the National Review, and Barry Goldwater's 1964 campaign." Confirm that man.

■ If the Bush administration is under any illusions about the sorry political state of the Iraq war, recent action in the Senate should dispel them. A Democratic proposal for a timetable for withdrawal was beaten back 58–40, but Republicans passed their own version to force the administration to make quarterly progress reports to Congress and express its sense that 2006 should be the year when Iraqi security forces take the lead. Substantively, this wasn't particularly objectionable (Congress already gets updates all the time), but politically it was calamitous. It continued the narrative of Bush losing even his own party on Iraq—which is how the headlines played the vote—and showed that Republicans are afraid to have a fight with Democrats even on ground that should favor them. Most Republicans figure they are helping themselves when they "rebuke" Bush on the war. They are really undermining a president and a war that they are, like it or not, tremendously invested in, and hastening their own exit strategy as a majority.



ROMAN GENN

The 2005 vote
(see page 13)

■ The Republican infighting that has stalled approval of a budget bill to trim spending is, in part, a tribute to Nancy Pelosi's success in whipping her troops to oppose the measure unanimously. The Democratic dominatrix has denied the GOP leadership the Democratic votes previously relied on to approve ANWR drilling, and so two dozen liberal House Republicans were able successfully to block the measure. Many of the same Republicans persuaded the White House to reverse its suspension of Davis-Bacon wage rates for Katrina reconstruction funds and are blocking a school-choice provision for the Gulf region that has the support of Sen. Ted Kennedy. After forcing these conservative concessions, they remain opposed to slowing the annual rate of growth in mandatory federal spending from 6.4 percent to 6.3 percent. The budget bill these Republican members object to would reduce $14 trillion in spending over the next five years by a mere $50 billion. The disciplined Democratic ranks hand a small minority of the Republican caucus an effective veto over the GOP majority's agenda—and they are exercising it.

■ "Enforcement First" is the battle cry of House members seeking to restore order to immigration. They are emphatic on

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THE WEEK...

this point because they remember the 1986 immigration law, which traded amnesty for nearly 3 million illegal aliens in exchange for empty promises of future enforcement. Opposition to the Enforcement First approach comes mostly from the other side of Capitol Hill. Despite their differences, the various bills before the Senate share one characteristic: opposition to enforcement of the immigration law unless huge new foreign-worker and legalization provisions are part of the package. This is true of the egregious McCain-Kennedy amnesty, of course, but also of the less-bad Cornyn-Kyl bill, as well as the recent attempt at a compromise measure circulated by Sen. Arlen Specter. Rep. Jim Kolbe, co-sponsor in the House of the McCain-Kennedy amnesty, expressed this sentiment nicely: "If they deal only with the enforcement now, what incentive is there later to come back and deal with the tougher, harder parts?" House Republicans are right to fear that they might be strong-armed into swallowing a guest-worker-amnesty bill passed by the Senate. The responsible path for the Senate is clear: Pass the enforcement portions of the Cornyn-Kyl bill and leave the other issues for a later date. To paraphrase John Lennon: All we are saying is give enforcement a chance.

■ President Bush warned after 9/11 that the War on Terror would be fought in the shadows. Now, four years later, his critics are shocked and outraged—are they ever anything else?—to learn that the CIA has been operating "black sites," secret prisons overseas for top-level al-Qaeda captives. Dana Priest's article in the *Washington Post* revealing their existence seems to say—although it's difficult to parse since it's based on sketchy information—that about 30 people are being held at these prisons. Some of them were originally targeted for assassination immediately after 9/11, but the CIA figured it probably wasn't capable of killing them without absurd missteps and that they would be more valuable alive and providing intelligence. They couldn't be brought back to the U.S. without the risk that they would quickly accrue the rights of domestic criminal defendants. They don't deserve the protections afforded standard POWs under the Geneva convention: notification of their families of their whereabouts, regular visits from the International Committee of the Red Cross, and exchanges of letters with their friends and families. So the CIA has kept them in the most tightly controlled, isolated, disorienting conditions possible. We wouldn't want many detainees to be treated this way, and as time passes and they are drained of intelligence value, the captives at these sites should be held under a different arrangement. But the secret prisons were a reasonable improvisation in response to 9/11 and to an implacable enemy who has placed himself beyond the bounds of the laws of war and civilization.

■ "The newly declassified information provides additional dramatic evidence that the [Bush] administration's prewar statements regarding links between Saddam Hussein and al-Qaeda represents [sic] an incredible deception." Thus quoth Sen. Carl Levin, Michigan Democrat and Defender of Truth. The "newly declassified information" is a document from the Defense Intelligence Agency (DIA) questioning the credibility of a captured al-Qaeda operative who claimed that Saddam's regime was training terrorists in the use of chemical and biological weapons. Levin is serving on a Senate committee charged with examining whether prewar statements of public officials were corroborated by intelligence. Leaving aside the unseemliness of his pronouncing on that question before the investigation is complete, we pause to recall a few simple realities. First, the DIA document does not change the fact that almost every intelligence service in the world believed Saddam Hussein possessed WMD; nor does it change Saddam's history of dealing with terrorists. Second, the document does not diminish the plausibility of the assumption that Saddam might have sought WMD and given them to nasty people had he not been removed from power; Bush's doctrine of preemption justifies the war at least as much on the basis of what Saddam could have done as on the basis of what he had already done. Third, a great flying leap separates the conclusion that Bush engaged in deliberate deception from the more reasonable conclusion that he might not have given the DIA document sufficient consideration. Finally, if the president *did* deceive the entire Democratic establishment, that says something deeply unflattering about the Gullibility Democrats.

■ When the school board in Dover, Pa., introduced intelligent design into the curriculum as an alternative to the theory of evolution, a group of parents sued in federal court. They claimed that intelligent design is merely creationism by another name and therefore violates the separation of church and state. Less than a week after closing arguments, however, voters decided to take care of the problem the old-fashioned way: On Election Day, they swept out the school board's pro-ID incumbents. Meanwhile, the judge in the case has promised a ruling by January. Perhaps now he should simply say the public appears to have settled this debate in the appropriate way, through the natural selection of politics.

■ In the president's request for $7.1 billion to prepare the U.S. for a flu pandemic, one senses his desire not to be blamed—as he was following Hurricane Katrina—for events largely beyond his control. But the truth is that no political leader can do much to stop avian flu—which, so far, has killed fewer than 100 people—from mutating into a form easily transmissible among human beings. The good news is that, if that happened, the existence of modern medicine would probably prevent a pandemic as deadly as the 1918 Spanish flu, which killed 25 to 50 million people worldwide. The bad news is that the Bush proposal wouldn't be of much help: It would stockpile an existing vaccine against bird flu, but, according to a study by the National Institutes of Health, the vaccine would be unlikely to stop a mutated, pandemic-causing virus. The antiviral drugs Bush wants to buy might be useful, but not in the relatively small quantities his plan calls for—and buying them in sufficiently large quantities would be extremely costly, even if adequate supplies were available. What we *can* do is ensure the health of the vaccine industry. To this end, Bush's plan

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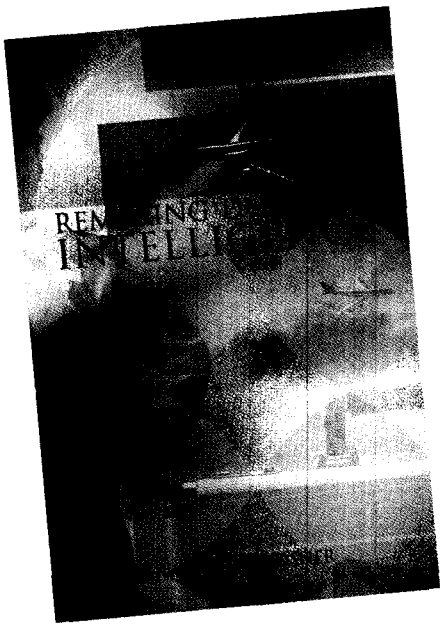
Critical Readings on Domestic Intelligence



Remaking Domestic Intelligence

RICHARD POSNER

In this important new book, Richard Posner reveals the dangerous weaknesses undermining domestic intelligence in the United States: domestic intelligence today is undermanned, uncoordinated, technologically challenged, and dominated by an agency that is structurally unsuited to play the central role in national security intelligence. To counter these issues, Posner proposes creating a new domestic intelligence agency.

Richard A. Posner is a judge on the U.S. Court of Appeals for the Seventh Circuit and a senior lecturer at the University of Chicago Law School.

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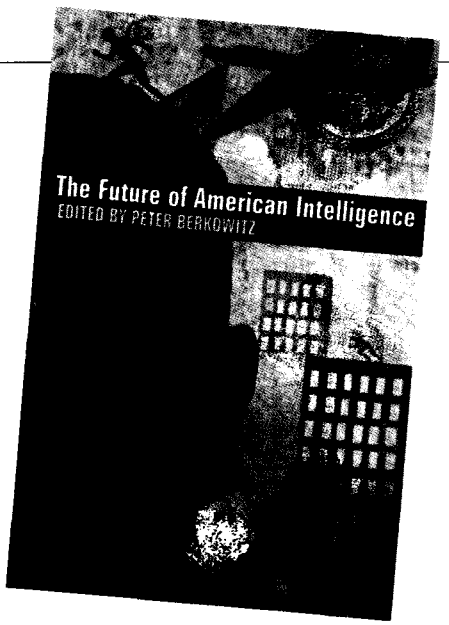

EDITED BY PETER BERKOWITZ

In thought-provoking essays, the contributors expose the problems afflicting the American intelligence community and present convincing arguments for changing the ways in which the United States gathers and analyzes intelligence.

The authors' recommendations include reforming the management style and the organizational structure of the intelligence services as well as establishing more effective procedures for taking advantage of technological advances.

Peter Berkowitz is the Tad and Dianne Taube Senior Fellow at the Hoover Institution and associate professor of law at George Mason University.

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THE WEEK...

would heighten liability protections for drug manufacturers. A good first step, but we should do more, expediting vaccine licensing and speeding up the approval process for novel vaccine-production techniques. Whatever we do, we should begin by frankly acknowledging our limitations.

■ By late December 2003, the members of the *New York Times* editorial board were losing their patience. Obviously there had to be a special prosecutor to investigate the leak of the name of Valerie Wilson, the CIA-operative wife of the Bush-bashing ambassador Joseph Wilson. Yet then–attorney general John Ashcroft took no action, instead letting Justice Department lawyers under his command handle the issue. Finally, on December 30, Ashcroft relented, and the next day the *Times* published an editorial headlined "The Right Thing, at Last," in which it praised Ashcroft's decision to appoint prosecutor Patrick Fitzgerald. Back then, it's safe to say, the *Times*'s editorial writers did not foresee that the episode would end up with the paper's Pulitzer Prize–winning reporter, Judith Miller, going to jail for 85 days and then being forced to retire amid a crisis of credibility that seemed to engulf the entire paper. And that's not mentioning the *Times*'s role in forcing a confrontation with Fitzgerald that ended up weakening journalists' already-weak defenses against the needs of criminal investigators. If that doesn't teach the *Times* to be careful what it wishes for, nothing will.

■ In August, *New York Times* public editor Byron Calame criticized the paper for its derelict coverage of the financial scandals at the liberal Air America radio network: Weeks after the scandal broke, the *Times* had run one small story in the Metro section of the paper. Wrote Calame: "Readers of the *Times* were poorly served by the paper's slowness to cover official investigations into questionable financial transactions involving Air America." The newsroom immediately sprang into action. First, editors and reporters tried even harder to ignore the story through several more months of developments, during which time news of the scandal widened from embezzlement of funds from a Bronx boys and girls club to include lawsuits from former employees and unpaid creditors. Second, the paper ran a story titled "They Look Nothing Like Rush Limbaugh"—a puff piece about two female Air America talk-show hosts. It was later revealed that Air America had been pitching a "Women of the Liberal Media" piece to reporters. In sum: The *Times* ignored Calame and looked instead to Air America's PR department for suggestions on how to cover the network.

■ By succeeding Rudy Giuliani in office, New York mayor Michael Bloomberg inherited a governable city rather than an ungovernable one. He has certainly made his share of mistakes, from raising property taxes to enacting a ban on smoking in bars. But on the one measure that matters above all others—the maintenance of public order—he has succeeded. Crime rates dropped under Giuliani; they have fallen further under Bloomberg. On November 8, voters understandably gave him another four years.

■ President Bush's nomination of Ellen Sauerbrey to be assistant secretary of state for the bureau of population, refugees, and migration is opposed by a host of feminist groups and has been the subject of hostile editorials likening the talented former Maryland lawmaker to FEMA's hapless Michael Brown. Sauerbrey has spent 30 years in public life—including 16 years in the Maryland House of Delegates, where she served as minority leader. She came within 3/10 of one percent of being elected governor of Maryland. Sauerbrey has been a U.S. delegate to the United Nations Commission on Human Rights and is the U.S. representative to the U.N. Commission on the Status of Women. In this post for the past three years she has been a forceful advocate in the international campaign against the abuse and exploitation of women. Her feminist opponents think that advocacy should include the recognition of abortion as an internationally recognized human right, but Sauerbrey reliably represents the pro-life policies of the administration she serves. The phony "Bush crony" charge masks the monolithic international sisterhood's demand that when it comes to helping suffering women and children worldwide, only advocates of abortion need apply.

■ When is plagiarism not plagiarism? When a Democrat does it. That, apparently, is the lesson of an odd episode recently featuring Rep. Sherrod Brown, the Democrat who hopes to win a Senate seat from Ohio next year. In a letter to the current senator, Republican Mike DeWine, Brown sharply criticized Supreme Court nominee Samuel Alito. The problem was, according to a report in the Cleveland *Plain Dealer*, Brown lifted much of his material straight from a left-wing blog. "What is striking about Alito is that he is so hostile even to the basic rights of workers to have a day in court," the blogger wrote. "What is striking about Alito is that he is so hostile even to the basic rights of workers to have a day in court," wrote Brown. According to the paper, Brown also lifted a series of talking points from the same blog. So that's plagiarism, right? Apparently not to liberal bloggers who all declared it no big deal. Keep that in mind for the next time some Republican makes a similar mistake. Surely the Left will leap to his defense.

NOT READY YET

The Democrats strain for a plan.
The outline's amorphous, so they
Leak only on deep background or,
With giggles and grunts, in the hay.
They're rug dealers, really; they rail
At deficit spending, but that's—
I said they were straining—The Plan.
They natter. The flaky keep bats.

—W. H. VON DREELE

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THE WEEK...

■ Abu Musab al-Zarqawi is from Jordan, and the Madrid bombers were from Morocco. It would seem, then, that al-Qaeda would mount a careful hearts-and-minds operation to recruit more volunteers from both those countries. Not a bit of it. Instead, al-Qaeda in Iraq is threatening to behead two Moroccans it holds hostage, and it sent a team including a husband and wife to bomb three hotels in Amman. Among the 60 people killed were members of the Palestinian aristocracy celebrating a wedding, and Moustapha Akkad, a Syrian-American film producer—his blockbuster Hollywood-style promotion of the Prophet Mohammed couldn't save him or his daughter Rima. The suicide-wife failed to detonate her explosives, ran away, and was captured. Put on television by the authorities, she showed no regret for the victims or for her husband. It doesn't cost much to arrange demonstrations in the Middle East, but thousands massed in Jordan expressing rage and disgust. Meanwhile, thousands more marched in Morocco under banners proclaiming "No to terrorism and barbarity" and "Muslims are brothers." Losing the street, al-Qaeda will also lose the war.

■ Hugo Chávez continues to behave like a satirist's creation. When George W. Bush visited Argentina for a summit of Western Hemisphere leaders, Chávez stood before a giant portrait of Che Guevara, decried American trade policies, and exhorted the assembled protesters to "defeat imperialism and create a better life." (Some of them got right down to business, torching storefronts and smashing windows.) But, for all his bluster, Chávez did not "bury" a Free Trade Agreement of the Americas, as he had hoped to do. Bush may have left without reviving trade talks, but the real economic powers in South America—Brazil and Argentina—aren't nearly as opposed to free trade as Chávez would like them to be. Bush and Brazilian president Lula da Silva, in talks after the summit, went a long way toward agreeing on a strategy to reduce the farm subsidies in developed countries to which developing countries—and principled free-traders—object. The real hindrance to free trade is not Chávez, but Europe: The EU has refused to cut tariffs on farm products as deeply as other WTO members, and its intransigence threatens to scuttle the Doha round of trade-liberalization talks. That would delight Chávez—and help keep the people he governs impoverished.

■ Prime Minister Tony Blair wanted the police to detain suspected terrorists for 90 days instead of the 14 currently allowed under the law. Warned that his Labour Party might revolt, he nonetheless refused all compromises on offer. On libertarian grounds, the Conservatives voted against him, and so did 49 of his own MPs, and he had to make do with 28 days instead of 90. He has had previous close shaves, but this was his first defeat in parliament. At the same time, Christopher Meyer, the former British ambassador in Washington, has published a memoir most unflattering to Blair and several members of his cabinet. The burden of his charge is that Blair conceived a schoolboy's hero-worship for President Bush. As a result, he never exercised the leverage he had over Bush, and to that extent neglected the national interest. In British practice, civil servants do not traduce their political masters, and this breach of confidentiality is a true scandal. Blair has already promised to step down some time before the next election. The noise to be heard throughout Westminster is the beating of the wings of the vultures hovering expectantly over him.

■ We were quite interested in something John Vinocur had to say, in his *International Herald Tribune* column: "In a new book about his time as foreign minister, called 'Les Cent semaines,' [Dominique de Villepin] is portrayed through a series of negative anecdotes as 'immeasurably pretentious.' In one account, the book tells how the foreign minister was informed at a meeting at the Quai d'Orsay that the American-led war against Saddam Hussein would likely be a short one. His response: 'That is not desirable. France would appear ridiculous.' There is a long silence. Another diplomat says, 'The Americans and British are our allies.' Villepin ends the meeting." Isn't that great? Well, at least the French had the Iraq War aftermath. Then too, they have their own—not entirely unrelated—problems.

■ On the occasion of the visit by Chinese president Hu Jintao to Britain in early November, the kingdom's cultural elites painted the town red for him. That is a figure of speech, but only just. Red being, naturally, the Chinese Communist Party's favorite color, prestige locations in London were illuminated by red floodlights. In the courtyards of Somerset House and Burlington House, homes to many of the nation's art treasures, the fountains, by dint of special lighting effects, appeared to spout red water in honor of the visit. Why not actual blood? one could not help thinking. President Hu is, after all, a devoted disciple of Mao Tse-tung, the greatest mass murderer of the age just past, and Hu extravagantly praised the old despot in a speech on Mao's 110th anniversary two years ago. Hu also runs by far the most repressive regime of any among major nations today. His armies sit on 2 million square miles of other people's land (Tibet, East Turkestan, Inner Mongolia). From time to time his generals, probably with presidential approval, threaten a nuclear strike against the U.S. When China is one day free, how will her people look back on this disgraceful spectacle of British self-abasement before thuggish tyrants?

■ Robert Mugabe was not very pleased with our ambassador, Christopher Dell, who said some honest things about the country Mugabe rules and brutalizes, Zimbabwe. Mugabe's response? "Mr. Dell, go to hell." At least Mugabe is direct, and has a Jesse Jacksonesque sense of rhyme.

■ Forget solidarity with Palestinians, harassment of military recruiters, and "Free Mumia!" rallies. The latest fad among campus activists, who seem to have far more time to spare from their studies than is proper in a competitive academic environment, is a campaign against the Coca-Cola Company. Coke, you see, has a bottling plant in—would you believe it?—Colombia, and student activists tell us, though the company hotly denies it, that workers at the plant are not well treated. At

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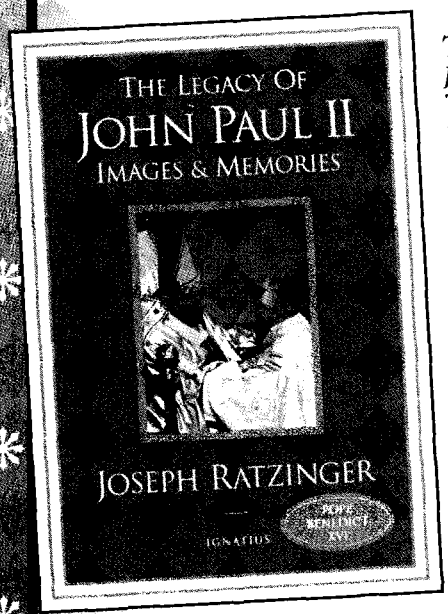

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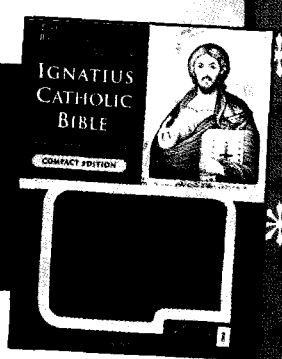

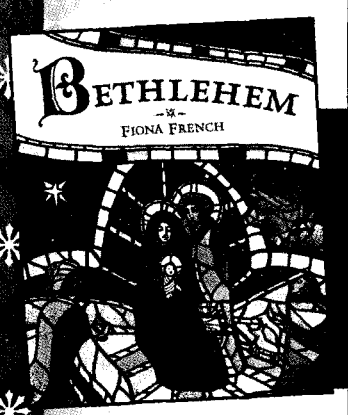

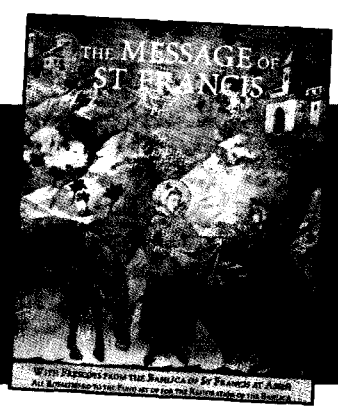

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THE WEEK...

New York University, the senate, which deliberates on campus-wide policy, has declared that unless Coca-Cola submits to an investigation by labor busybodies, the soda will be banned from campus vending machines and cafeterias. Some wags have remarked that it will then, for the first time in years, be difficult to buy Colombian coke on campus. Others have suggested that the whole campaign has been covertly engineered by PepsiCo. We support Coca-Cola here, not least because this fine old American beverage company persisted in selling its product in Israel despite the Arab League boycott of 1968–91. Students of America take note: Things go better without the kind of moral posturing whose entire effect, if successful, will be to throw poor Colombians out of work.

■ It is a universal truth about public affairs that politicians, who must always be doing *something*, will, when they have lost control of large matters, busy themselves with trivia. The city of Rome has just offered an illustration. Any recent visitor to Italy's capital will have observed a seedy, down-at-heel city, short on modern structures or conveniences, infested with thieves and pickpockets, patrolled by a lackadaisical police force, its antiquities unkempt, its transport unreliable, and its people short-tempered. Not to worry, though. Rome's municipal government may not be able to arrest the Eternal City's slide into uninhabitability, but they can still do something to help goldfish. Goldfish? That's right: The municipal government has banned goldfish bowls as cruelly restrictive to our piscine pals, who henceforth must range free in proper household aquariums. Fins—sorry, that's *fines*—will also be levied against citizens who do not walk their dogs daily. This is, after all, the city that gave us our metaphor for amusing ourselves with irrelevancies amidst conflagration.

■ Under a new law making its way through the Florida state legislature, Spanish lessons will become compulsory in the state's public schools from kindergarten through second grade. The bill, filed by state senator Les Miller, a Democrat, would have the mandatory lessons start in 2007. While it is certainly a fine thing for young children to attempt a foreign language, it is hard not to see this as yet another retreat before the forces of multiculturalism. From the point of view of acquainting oneself with Western civilization in the large, Spanish is a peripheral language, less important than French, German, Italian, or Latin. As a utilitarian matter, so far as it is possible to predict the course of the world economy, Floridians of the year 2020 are likelier to find themselves doing business with Chinese, Japanese, or Indian folk than with Mexicans. It is true that many people in Florida have Spanish as their first language. It is likewise true that many people in New York City 80 years ago spoke Italian, Polish, or Yiddish at home. Was there agitation to teach those languages to natives? What happened to assimilation? Bring back H*Y*M*A*N K*A*P*L*A*N, please.

■ San Francisco's recent election offers a tale of two pinks. Code Pink, a group of women dedicated to ending war, joined with other groups—among them, Leave My Child Alone! and College Not Combat—to pass a proposition banning military recruiters from San Francisco's high schools. The ban is nonbinding, and thus about as effective as most of Code Pink's peace vigils and calls to make love, not war. But another ballot measure that passed *is* binding: a ban on handguns, which brings us to the second pink. If you thought pink was for pansies . . . well . . . check out Pink Pistols, an international gun-rights organization for gays. Their slogan is "Armed gays don't get bashed," their weblog is called "Busting Caps," and they're enraged by the San Francisco ban. So, Code Pink *v.* Pink Pistols? Our money is on the latter.

■ Barbra Streisand, a lounge singer popular around 1970, has called for the impeachment of George W. Bush and an unspecified number of his colleagues. The grounds for the impeachment would be, let's see, oh yes: The president deceived the country about weapons of mass destruction in Iraq. To conservatives—and, we suspect, to most other Americans not of the rabid-Left persuasion—this really comes under the heading "Showbiz Gossip," bearing about as much excitement, newsworthiness, and political substance as Jennifer Lopez's latest divorce. To small cadres of Left activists, however, it is, we suppose, a call to arms. You can hear the copy machines whirring and the phones ringing. Let them whirr, let them ring. One of the late-night comedians is wont to describe politics as "show business for ugly people." No further comment.

■ One has to feel sorry for the planet Pluto. As if being named after the overlord of hell were not bad enough, Pluto dwells in cold and darkness at the far outer edge of the solar system, and is the only planet not yet visited by a space probe. Even the distinction of being incontrovertibly the outermost of the planets is not vouchsafed to Pluto: Because of its extremely eccentric orbit, for 20 years of its sluggish 248-year circuit it is closer to the sun than Neptune is. To add to the indignities, Pluto's status as a true planet has recently been disputed. (This magazine strongly supports continued inclusion of Pluto in the list of planets on the *stare decisis* principle.) Things may be looking up for this loneliest of our solar companions, though. In January NASA will launch the New Horizons space probe, intended to rendezvous with Pluto in 2015. Nor is Pluto's solitude as unrelieved as was once thought. The Hubble space telescope has recently detected two new moons orbiting the planet, for a total of three. What a tribute to the endlessly questing, insatiably curious spirit of our civilization that we can use our clever gadgets to peer even into Plutonian darkness!

■ The luxury cruise ship *Seabourn Spirit* was attacked by pirates off the coast of Somalia. Two inflatable craft armed with rocket-propelled grenades and automatic weapons assaulted the vessel while cruise-goers prepared to repel boarders by taking up shuffleboard sticks and empty champagne bottles. In the event, no boarding was attempted. *Seabourn Spirit* sped away (cruise ships are *very* fast when they have a mind to be) while the crew used a nifty high-amplitude sound gadget to stun the pirates. We are reminded once again that the world does not change as much as we think, that ancient hazards only

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assume new forms, and that the high seas can be as lawless now as in Captain Morgan's day. NATIONAL REVIEW has no current plans for a Somalia cruise, but should we offer one, cutlasses will be provided.

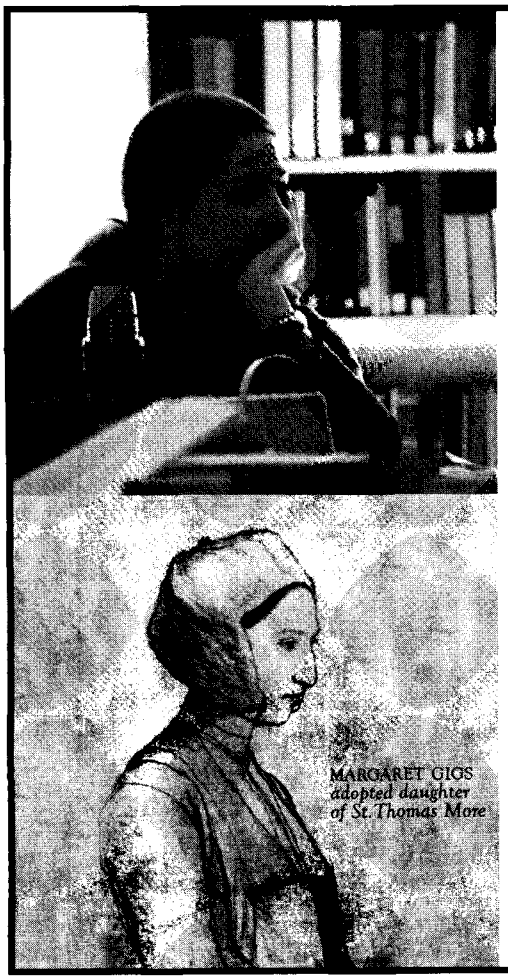
■ Among the recipients of President Bush's Medals of Freedom was Robert Conquest, the English-American historian, poet, and all-purpose truth-teller. His books about the Soviet Union helped to topple that empire. In the 1930s, when he was a student at Oxford, Conquest was a Communist, but an open one, not a secret one, which is typical of the man. He quickly threw off his illusions to become one of the greatest of all anti-Communists. Not one for such designations as "liberal" and "conservative," he describes himself as a "law-and-liberty man." He takes those words from Orwell, whom he resembles in many respects. In 1989, as glasnost was melting the Soviet Union, Conquest returned to that country for the first time since his student days. Practically everyone there had read Conquest's classic study *The Great Terror*, under the pillow, so to speak. One man asked to pinch him, just to reassure himself that he, Conquest, was really present, on Russian soil. And another man—a poet—came up to him on the street and, wordlessly, handed him a rose. President Bush has handed him another one. Well done.

■ The influence of Peter F. Drucker is hard to overestimate; postwar America, indeed the postwar world, might have looked dramatically different but for the contributions of this premier theorist of business management. His first book, *The End of Economic Man: The Origins of Totalitarianism* (1939) received a positive review from no less a figure than Winston Churchill; and his reputation would only continue to grow. The *Wall Street Journal*, for which he frequently wrote about management, has hailed him as "the Shakespeare of [that] genre"; the *New York Times* notes that he espoused some of his most important views "decades before they became so widespread they were taken for common sense." Drucker knew that the free market was better than any economic system that relied on command and control. But he focused less on the fact *that* the market worked, more on *how* it worked—and how it could be made to work better. Peter Drucker has died at age 95. R.I.P.

POLITICS

The 2005 Vote

IT is a quadrennial ritual of the punditry to evaluate the off-off-year elections in New Jersey and Virginia and search for glimmerings of what may come in approaching congressional races. There are indeed reasons why Democrats should be heartened by what happened on November 8, and why Republicans ought to be worried. But any talk of 2006 becoming a Democratic version of 1994—i.e.,



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a year for taking control of Congress—is premature.

The gubernatorial victory of Democratic senator Jon Corzine in New Jersey was no surprise: He ran in a blue state, spent freely, and faced a lackluster opponent in Doug Forrester. The race was perhaps most notable for its tawdriness, including a GOP ad that featured Corzine's ex-wife.

The governor's race in Virginia is harder for Republicans to dismiss. The state voted for President Bush last year, and the GOP understandably expects to enjoy a home-field advantage there. Many national Democrats have attributed Lt. Gov. Tim Kaine's win to the president's sagging popularity. But it would be a mistake to think that Virginia politics is driven by presidential polls. If that were the case, then Virginia's outgoing governor, Democrat Mark Warner, wouldn't have been elected in 2001, when Bush's approval ratings were peaking in the aftermath of 9/11.

In truth, Kaine faced a weak Republican opponent in former state attorney general Jerry Kilgore. Although Warner and Kaine had pushed successfully for a tax increase, Kilgore never developed a convincing message on this core GOP issue, partly because Republican legislators split on the Warner/Kaine tax hike. Instead, he campaigned on the death penalty, apparently in the belief that Kaine's opposition to it represented a glaring vulnerability. If Virginians were drowning beneath a crime wave, that might have been true. But they aren't, and the cumulative effect of Kilgore's negative ads may have been to convince swing voters that Kaine is a man who stands on principle even when he knows his views aren't popular. Finally, the moderate Warner's approval rating was in the 70's. History says that Virginia incumbents who are that popular almost always see their designated successors win.

Yet there can be no denying that it was a Democratic year. In California, Republican governor Arnold Schwarzenegger saw a package of reform-minded ballot initiatives go down to defeat, thanks in large measure to well-organized union opposition. And in St. Paul, Minn., voters ousted Democratic mayor Randy Kelly, whose endorsement of Bush last year was a decisive issue. (His successor, Chris Coleman, is also a Democrat.)

Some giddy Democrats believe these results foretell a Democratic takeover of Congress. If so, their party has no margin for error. To move from a 45-member minority to a 51-member majority in the Senate, Democrats will need to win four open seats (including one in Tennessee), defend a few of their own endangered incumbents, and knock off at least five GOP officeholders. That's a tall order. Making a net gain of 15 seats in the House of Representatives may be even tougher: In 1994, Republicans benefited from 53 House districts whose constituents had voted GOP at the presidential level but sent a Democrat to Congress; in 2006, there will be only 18 districts that split their vote between Kerry and a Republican.

The challenge for the Bush administration and congressional Republicans is to do something that they have failed to do in recent months: Give voters, including their conservative base, a compelling reason to support them. If they don't, they should brace themselves for more electoral setbacks ahead.

WAR ON TERROR

Battleground: France

PROLONGED rioting has exposed flaws and misperceptions that have long been set in place in France. As a matter of high policy, successive regimes have sought to flatter and co-opt Arabs and Muslims in order to create a counterweight to the United States and, perhaps, recover France's lost status as a world power. Some 6 million Muslims now live in France; they make up 10 percent of the population, a minority with a mass critical enough to confront the majority. There was an unspoken bargain that, in view of French favors, Islamist terror would be for other people to suffer.

The French proved not as generous as all that, however. They housed their Muslims in suburbs in the soulless style of Le Corbusier. Unable to escape these ghettoes, poorly educated and massively unemployed, Muslim youths take to crime. The figures are extraordinary: This year alone, over 30,000 cars have been torched, and at least 70,000 acts of violence committed. So widespread is this lawlessness that the police long ago abandoned the suburbs as no-go areas. At the same time, the French state is either boasting of its liberty, fraternity, and equality, or ordering Muslims around (for instance, forbidding girls to wear the hijab in school or imams to preach in Arabic).

The Molotov cocktails thrown by hooded youths in 300 cities and towns are a claim that no-go areas have become in effect extra-territorial. The astonishment of the government at this state of affairs is perhaps the most astonishing feature of all. The gendarmerie have no knowledge of the afflicted suburbs, and lack fireproof vans and other equipment. A fortnight passed while officials thumbed through the law books. Recently in the hospital after an apparent stroke, President Chirac remained silent for a disturbingly long time, and then uttered only platitudes. His prime minister, Dominique de Villepin, advocated appeasing the rioters, while Nicholas Sarkozy, the interior minister, spoke of "scum" that had to be hosed off the streets. Both politicians were exploiting the riots to advance their ambitions to win the presidential elections due in 2007. The French state thus shows itself to be divided, torn between weakness and repression. Rioters are invited to continue because they may be able at best to precipitate a national crisis, or at worst to extract further social benefits and concessions.

Some of the rioters duly shouted Muslim slogans, and threw stones at imams and community leaders who tried to pacify them. But the thrust of the protest so far has been social rather than faith-based or Islamist. In the wings, however, Islamists are doing whatever they can to turn the anger to their advantage. Nor is polarization restricted to Muslims. Leading the National Front, a Thirties-style fascist party, Jean-Marie Le Pen claims that thousands of new recruits are rallying to him under the shock of events. Beaten by Chirac in the last presidential election ("the crook versus the fascist," as the electorate summed it up), he too hopes to have another chance in 2007. The director general of the news service LCI, Jean-Claude Dassier, has admitted that he censored coverage of the riots

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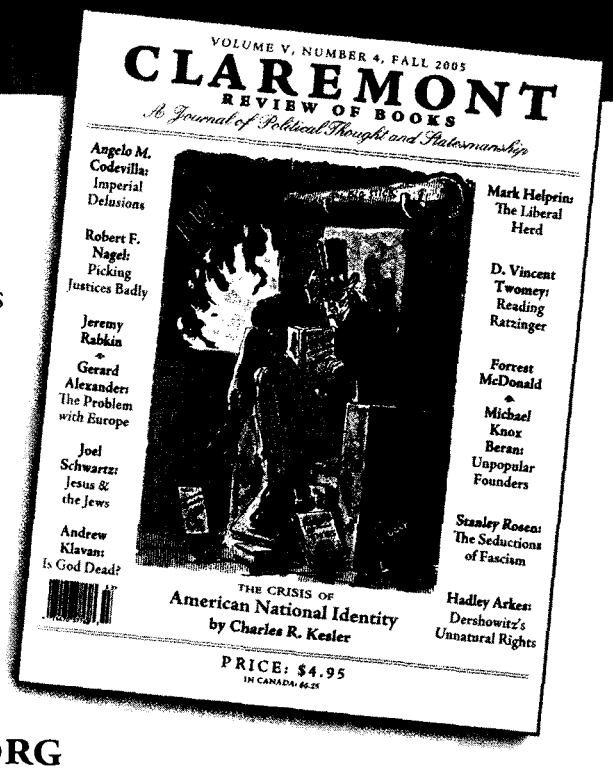
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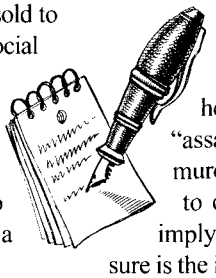
because he did not want to give ammunition to "right-wing politicians."

The volatile mix of feeble or ugly politicians and lying media on the one hand, and the Islamists on the other, points inexorably to ethnic violence. France, indeed Europe, looks more like a lost cause than a recovered world power. Copycat riots have already occurred in Belgium, Denmark, and Germany. This may well be a last chance to prevent a new front in the War on Terror from opening throughout the continent of Europe, but nobody seems to have any coherent idea how to remedy the mistakes that have brought the French to so serious a confrontation with their Muslim community.

notes & asides

■ Dear Mr. Buckley: Regarding your delightful piece on the mean-spirited Argument for Alternative Use (Nov. 7), the Bible provides perhaps the earliest example of this argument. As a woman washes Jesus' feet with expensive perfume, Judas, always the moral compass, protests that the oil should have been sold to feed the poor. Jesus' response, conveniently ignored by social gospelists who co-opted Jesus as merely a fine social worker: "You will always have the poor among you, but you will not always have me." Jesus was not denigrating the plight of the poor, but pointing to a far greater evil: spiritual poverty. When we remove opportunity to create, to strive, to see with eternal eyes, we become little more than a cosseted hamster, ever spinning in its dreary little wheel.



Cordially,
Marilyn Stolz
Hermiston, Ore.

■ Dear Mr. Buckley: In your column "Escaping Catastrophe" (Oct. 24), you use the term "extravasation" to describe nature's cunning ability to bypass blood-supply blockages with alternate routes. (You also say "blocked impasse.") However, "extravasation" means blood seeping outside of the vascular tree, such as may occur in a bruise or other hemorrhage.

"Neovascularization" means, of course, new blood vessel formation; collateral circulation is the result when new blood vessels form to bypass the blocked artery, creating alternate paths for blood to flow.

Having bought the (then very liberal) *New York Post* on a daily basis in the 1960s while in high school just to read your column, I feel most privileged to read your words, four decades later.

Cordially,
Samuel M. Salamon, M.D.
Euclid, Ohio

Doc, you get the idea.

Cordially, WFB

■ Dear Mr. Buckley: In forming my impression of the unrest among our allies in France, I am forced to ask: Is there a Gallic equivalent of the German term "Schadenfreude"?

Regards,
John P. Glynn
Chicago, Ill.

Dear Mr. Glynn: Yes. It's "joie de vivre."

Cordially, WFB

■ Dear Mr. Buckley: Request for a judgment call: It's about the use in the press of the verb "assassinate."

It's been my understanding all my life that private citizens are "murdered." To be "assassinated" you have to be either a head of state or at least a political figure, and by the way doesn't your murder also have to be politically motivated, or at least appear to be? Gandhi, JFK, and Lord Mountbatten were assassinated. Bob Crane, Bonny Lee Bakley, and the Notorious BIG were murdered. Right or wrong?

I bring this up because, for 25 years now, I've been hearing from the news media that John Lennon was "assassinated." With the 25th anniversary of Lennon's murder approaching, I expect to hear it again. In my view, to claim "assassinated" status for John Lennon is to imply that he was an important political figure, which I'm sure is the intent of certain balding, pony-tailed journalists, nostalgic for the '60s, as they hum *Give Peace a Chance*, puff pot, and swill Metamucil.

I say Lennon was murdered, not assassinated. What say you?

Sincerely,
Kelley Dupuis
Chula Vista, Calif.

Dear Mr. Dupuis: I agree. But perhaps the assassin—murderer—was putting on airs!

Cordially, WFB

■ William F. Buckley Jr. and Johannes Eff: A Funversation

WFB: I invited our mutual friend, Tarzan,
To the 50th Birthday Bash, Johan.
I have both good: (He came), and bad news:
(He didn't wear shoes).
JE: That figures. He lives in the jungle in a tree
And probably
Dresses according to the current narcissistic code, *Dishabille* I.
WFB: The invitation clearly stipulates "black tie."
JE: Which mandated shoes for that cat.
Did he not know that?
WFB: Of course. He is a Yale College grad.
The *dénouement* is very sad:
After taking Biology 101, he moved into the trees
And got caught up in the mind-zapping *Disrobing Squeeze*.
When I was a student there, shoes were required in the dining hall.
JE: It's sad. But please don't begin to bawl.

—WFB

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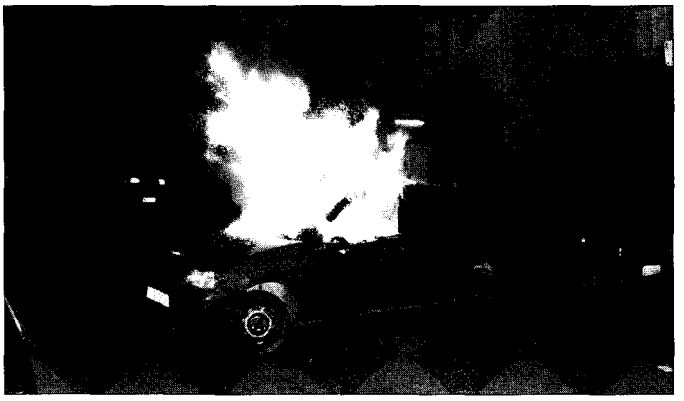

■ EUROPE ■

The Suburbs Are Burning

Is France a failed state?

ANTHONY DANIELS

For the last two weeks, the French have been watching the numbers of cars burnt the night before in the suburbs the way New Yorkers watch the Dow Jones index. Does 463 mean that the riots are now in recession, or is the reduction compared with the previous night merely what stockbrokers call a technical correction? Could the senior policeman be right who said that the downward trend was "the beginning of a classic mobilization at the weekend"? In other words, could *les jeunes* be conserving their energy for a further assault on French complacency?

Certainly, the police intercepted e-mails calling on *les jeunes* to assemble in the Champs-Elysées and under the Eiffel Tower, which would really set the matches among the gasoline. The French Social Model would then have no choice but to swing into action, and send in the Compagnies Républicaines de Sécurité (the feared CRS), all batons flailing: the continuation of social work by other means.

It must be admitted that *les jeunes* have a strange way of trying to prove to the world that they are not what the outspoken interior minister, Nicolas Sarkozy, so perceptively (but unadvisedly) called scum. Having long pondered the delicately balanced question of whether it is more humiliating to be justly or unjustly accused, I suspect that *les jeunes* have reacted with such fury to M. Sarkozy's epithet precisely because they knew themselves that it was accurate. For how else do you describe people who are prepared to burn the cars of 6,000 of their neighbors, and a bus with a 56-year-old handicapped woman in it who was unable to escape and was severely burned as a result; people who did not take this horrific incident as an indication to desist, and whose subculture is a transposition of that of the American underclass at its worst?

But a descriptive term is not an explanation, unless you believe—as I do not—that large numbers of people are scum by nature, by unchangeable essence (and even that essence would require explanation). Whatever reservations one might have about the culture that the parents of *les jeunes* brought with them to France when they immigrated there, they—the parents—were definitely a more attractive group of human beings than their offspring, brought up in the *banlieues* of French cities and towns. At the very least, they were hard-working, law-abiding, decent, polite, and optimistic about improving their condition and that of their future children. Things have turned out very differently, of course: Many of their children, no doubt larger and healthier than their North African counterparts, have grown into alien beings whom they have long since ceased to understand.

The French *banlieues* are in effect prisons, but prisons that are ruled by the prisoners who live in them—generally the worst and most brutalizing kind of prisons there are. These prisons have metaphysical walls rather than real ones, though they are geographically isolated from the towns and cities to which they are attached. The metaphysical walls are patrolled by a combination of rigid French labor laws, which make it so difficult for the young to find employment in France, and the subculture of *les jeunes* themselves, which is conducive to nothing except idleness punctuated by insensate rage.

As in all prisons, an us-and-them attitude develops, in which anyone who is not one of us is one of them, and with whom any decent relations are a form of treachery toward us. In prison, it is the wardens and the prisoners who are in binary opposition; in the *banlieues* it is *les jeunes* and any other member of French society who are irreconcilably opposed. I have rarely felt such immediate and reflexive hostility as when I visited the *banlieues* of Paris, not even in African townships at the height of apartheid.

Of course, the hostility is entirely reciprocated by the police, who suspect all of *les jeunes* of everything, and behave accordingly: more like an army of occupation trying to repress the discontents of the natives than a force to protect everyone equally. It is sometimes said that the hostility of *les jeunes* has been caused by this attitude of the police. But this does not explain the almost equal hostility toward the *sapeurs-pompiers*, the firemen, whose job is to put out fires and rescue people who are trapped, and even toward the crews of ambulances sent to evacuate the ill and injured to the hospital. The rage is an existential one, worsened perhaps by particular instances of humiliation, but fundamentally independent of them.

Of course, just as prisoners know themselves to be in an intrinsically less powerful position than the wardens of their prison, so *les jeunes* know themselves to

Mr. Daniels is a doctor and writer in England. Among his books is *Utopias Elsewhere*.

NICE, FRANCE 11/10/05 PATRICE LAPOIRIE/ZUMA

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be in an intrinsically powerless position vis-à-vis the French state. For one thing, many of them are completely dependent upon that state for everything they possess and everything they eat. Even the drug dealers, whose business is practically the only economic activity of the *banlieues*, know that, at base, they are dependent on the French state: If their customers, *les jeunes*, were not in receipt of state subventions, the dealers would have no market for their wares.

The humiliation of such dependence hardly needs emphasis; nothing is left to *les jeunes* but endlessly to distract themselves in their uneducated, crude, and tasteless way, and to soothe their inflamed egos with the balm of "respect," which in practice means making others fear them, both individually and collectively.

Of course, when I talk of *les jeunes*, I refer only to the male of the species. There has been a marked lack of curiosity in the world's press about the absence of women from the scenes that, for a time, have made Clichy-sous-Bois as famous as Paris itself. There has also been little attempt to canvass the opinion of the young women of the *banlieues* about developments in the streets. Here truly is the dog that did not bark, for many of them might have told a story of oppression by *les jeunes* that would make the French state seem a model of equity and compassion by comparison. Indeed, to anyone even moderately alert to social meanings, the mere difficulty of canvassing female opinion in the *banlieues* would have represented an important story.

The part played by Islam in the riots is bound in an age of Islamist terrorism to preoccupy us, but in my opinion it played at most a peripheral or enabling role. Young men of Islamic background are perhaps more sensitive to humiliation, and more likely to react violently, than others, since they are habituated to thinking of themselves as superior beings to women, the elect of creation. They are also determined to preserve their domination of women. This is the principal interest that Islam has for the young Muslim men of both Britain and France, and probably Holland as well, who are in all other respects almost as highly secularized as their non-Muslim counterparts. Islam also helps to keep their resentment warm, to give it shape; and resentment is, of all human emotions, by far the most dependable—but also the most counterproductive. But *les jeunes* are not religious fanatics: They are not religious at all. When French Islamic clerics issued a fatwa condemning the riots, it had absolutely no effect. Only a fatwa calling for riots might have had some effect, but only because there existed an inclination to riot in the first place.

This is not to say that the situation is not extremely dangerous. *Les jeunes* of all descriptions are often looking for supposedly complete answers to their existential problems, and an obvious one lies close at hand in the French *banlieues*. It would be surprising indeed if fundamentalists did not try to take advantage of the discontents to further their designs—if an impossible and primitive utopian daydream can be called a design.

Of course, the French state has been living a daydream of its own, namely that welfare can be extended indefinitely without adverse social, economic, and psychological consequences. It now finds itself with a very painful dilemma. The situation in the *banlieues* can be improved only by a liberalization of the French labor market; but years of propaganda from the French intelligentsia have made the majority of Frenchmen deeply hostile to economic liberalization. A recent poll conducted for the newspaper *Libération* showed that the word "socialism" had better connotations for Frenchmen than the word "capitalism," and that economic liberalism was viewed with great distaste.

At a recent conference, I heard an eminent French intellectual say that the French government needed to introduce entrepreneurs into the *banlieues*. He was a representative of French liberalism (comparatively speaking), yet his view was still essentially Colbertian. Even he had not yet grasped that the state was the problem, not the solution, that it was the state that had enclosed *les jeunes* in an existential prison. Unfortunately, most of the French population benefits—or believes that it benefits—from the regulations that maintain that prison. Riots in *les banlieues* or marches down the Boulevard Saint-Germain: That is the choice facing the French government, and my guess is that they will prefer the former to the latter, even if in the end it means sending in the CRS, no holds barred. **NR**

■ **PUBLIC POLICY**

An Old Mistake

Why are they trying to punish the oil companies?

JERRY TAYLOR &
PETER VAN DOREN

THE post-Katrina gasoline-price increase seems to have unleashed madness in some GOP quarters. In a remarkable press conference in late October, House Energy Committee chairman Joe Barton and Speaker Dennis Hastert demanded that the oil industry use its 2005 profits to build new refineries and pipelines—and they threatened the imposition of a windfall-profit tax if the oil industry refused. In the Senate, majority leader Bill Frist launched a public inquisition of the oil sector and is actively encouraging discussions on a windfall-profit tax; he is also recommending a new federal law against gasoline price gouging, and asking the industry to give "voluntary" assistance to the poor. And according to the American Petroleum Industry, the Bush administration is quietly testing the waters on a similar windfall-profit tax, whose profits would be used to expand federal energy assistance to low-income households.

Gasoline prices have dropped more than 75 cents per gallon since their post-Katrina peak, but on the heels of the oil industry's multi-billion-dollar quarterly profit reports it's not surprising that many politicians have suddenly resorted to histrionics. What is surprising, however, is the number of conservatives who have happily cast their lot with the anti-oil contingent.

Are Republicans' memories so short that they fail to remember the last time heavy-handed policies were enacted, or are Republicans simply trying to pin the

Messrs. Taylor and Van Doren are senior fellows at the Cato Institute. Mr. Van Doren is the editor of *Regulation* magazine.

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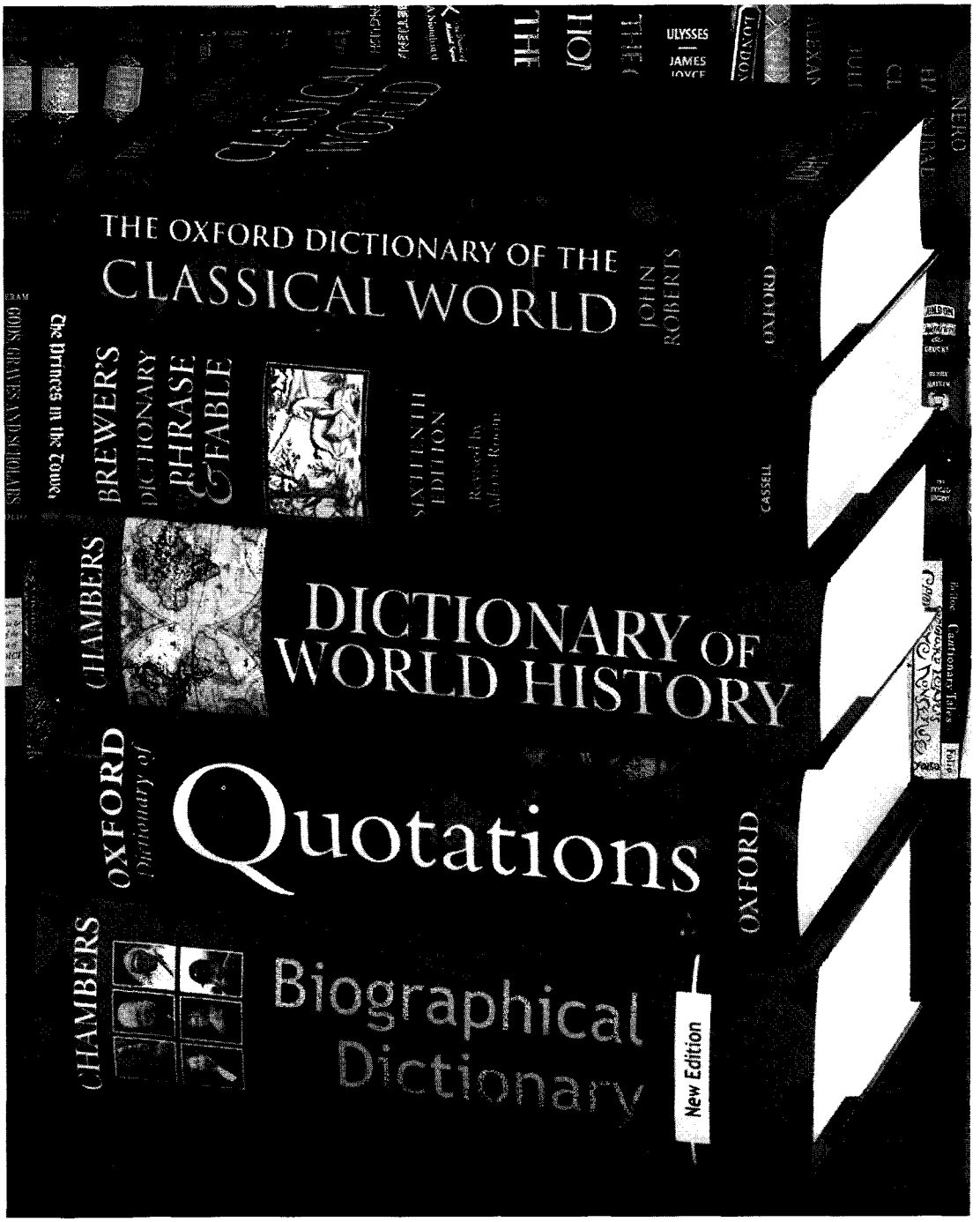

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blame on someone—anyone—for the sky-high gasoline prices? Either way, the GOP is playing a dangerous political and economic game. If the public is encouraged to think of "Big Oil" as a public enemy, it's unlikely that voters will hire Republicans to play sheriff. But more important, the policies Republicans are flirting with threaten to do serious, permanent damage to the oil industry.

It's instructive to dwell on what happened the last time Congress tried to protect consumers from "Big Oil." The third phase of President Nixon's price-control regime, instituted in 1973, prevented large oil companies from passing on to consumers the rising cost of crude imports. So oil companies reduced imports, and cut gasoline sales to independent gas stations in order to keep their own branded outlets supplied. The lines and shortages that form our collective memory of the oil crisis were the result of the Nixon price controls—*not* the largely symbolic Arab oil embargo.

During the following years, Congress instituted a number of measures to remedy the situation, but they all had one thing in common: They distorted the market and created perverse incentives for oil companies, incentives that made America more reliant on foreign imports and increased the global price of crude. All of the economic postmortems undertaken of the 1970s price-control regimes paint the same ugly picture. Economist Joe Kalt calculates that domestic oil production was between 0.3 and 1.4 million barrels per day lower than it would have been without price controls. R. T. Smith, another economist, says that the lost production and higher demand that resulted from the price controls increased world crude-oil prices by 13.5 percent, which of course resulted in higher oil prices for American consumers.

As part of a political compromise that allowed the price controls to expire, Congress passed the Crude Oil Windfall Profit Tax Act of 1980. The title, however, was a misnomer: The law did not tax oil *profits*, but instead taxed each barrel of oil when the price per barrel went above a set government level. Like the price controls before it, the law discouraged the development of new supplies by increasing costs for oil companies. According to analysts at the Congressional Research Service, this tax reduced domestic oil production by 3–6 percent and increased imports by 8–16 percent before it was repealed in 1988. Now, as then, a windfall-profit tax would not actually tax profits; it would merely increase oil taxes, which would inevitably harm consumers.

Are oil profits so offensive that we must go down this road again? One might think so given the recent uproar, but oil profits are not all that remarkable. According to data collected by Goldman Sachs, the median return on invested capital in the oil and natural-gas sector from 1970 to 2003 was less than the median return on capital invested in the stock market over the same period. In the second quarter of this year, net profits were 9 percent of sales for oil and gas companies in the S&P 500 and 8 percent for the S&P 500 as a whole. Profits, then, would have to be very fat for a very long time before the industry could claim to have returned even *average* profit margins from 1970 to the present.

ROMAN GENN

Calls for the industry to *voluntarily* reduce prices are also based on a false understanding of the market. "Big Oil" does not dictate fuel prices. Contracts between oil companies and refineries—and between refineries and retail outlets—typically tie the purchase price to local oil commodities markets. Hence, fuel prices are established by thousands of market actors buying and selling oil on numerous, decentralized markets; prices aren't set by corporate CEOs in smoke-filled boardrooms.

High prices are unfortunate for consumers, but they accurately reflect market realities. Congress can no more repeal the law of supply and demand than physicists can repeal the law of gravity. If you restrict the profits you can make from something, you'll get less of it. If you restrict prices, you'll get less conservation. High prices do more to encourage both production and conservation than anything Congress could dream up.

The Republican call for more refining investment is even less explicable. First, returns on investment in refining have been less than the median returns in the rest of the economy since 1985. Forcing investment in a historically low-returning sector would seem to be the antithesis of good public policy. Second, it is absurd for politicians to tell private companies what they should or should not do with their *private* capital. In a free society, businessmen make that choice for themselves.

Consider also how quickly the oil industry responded to disruptions after Hurricane Katrina. The storm took more than 10 percent of U.S. refining capacity offline and knocked out many of the pipelines needed to deliver Gulf Coast gasoline to the rest of the nation. By mid-October, 1 million barrels a day of U.S. crude production remained shut down (5.2 percent of U.S. consumption, 19 percent of U.S. production, and only 1.4 percent of world production). Simultaneously, 1.6 million barrels per day of refinery capacity remained offline (7.8 percent of U.S. consumption, 1 percent of world consumption).

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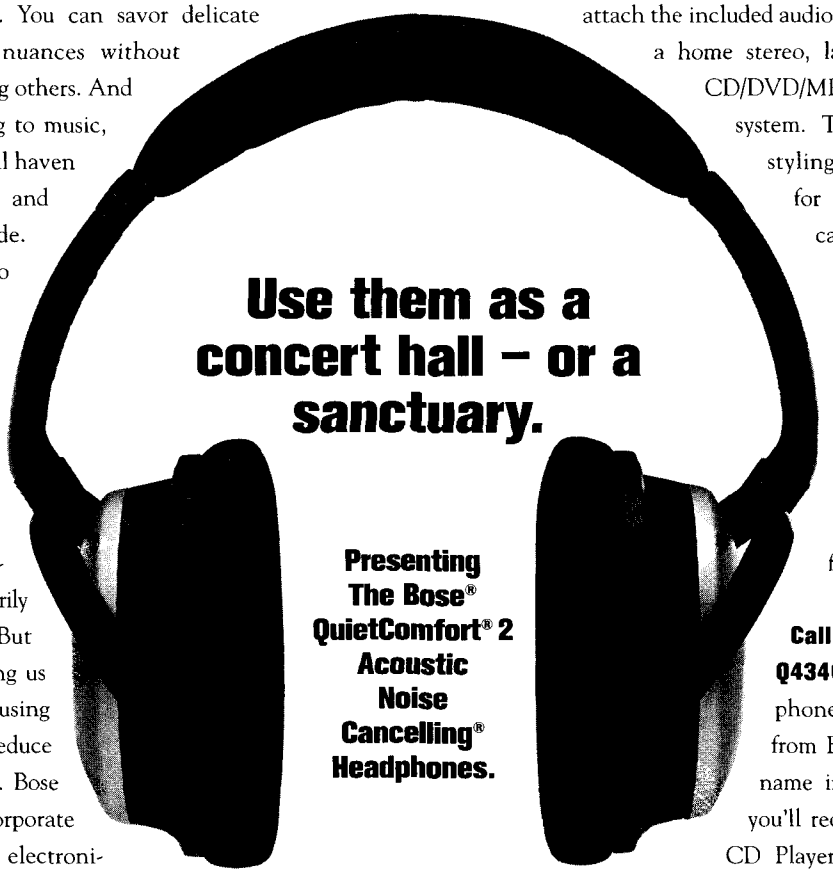

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An economic analysis of those numbers predicts that a reduction in supply of that magnitude would result in a gas-price increase of 33 percent, or 84 cents per gallon. We saw exactly that as prices went from their August average of $2.50 to nearly $3.30 per gallon, but prices have since fallen back to below August levels. The market has responded: Imports are up 38 percent, and gasoline demand has dropped—all in less than two months.

Motorists might think it nice if the oil industry had the reserve capacity to insure against major disasters, but business is not in the job of doing the public favors—unless the public pays for them. A company with excess capacity will have to pass that fixed cost along to consumers, and there will almost assuredly be another company, with less excess capacity, that can undercut the price. Refineries typically cost $2–6 billion to build, and managers cannot allow them to sit idle for long without triggering a (justified) stockholder rebellion.

Politicians have no business calling for such excesses. Consumers are much better off paying relatively low prices most of the time and high prices when supplies are tight, than paying higher-than-normal prices most of the time in return for slightly lower peak prices. Investors will put money into the refining sector if and when they discover that profits can be gained by doing so. If profits can't be made, it tells us that there is no shortage of capacity. In other words, if there's a problem, the capitalists in our midst will solve it—without Dennis Hastert's help.

It takes a lot of political courage to tell an outraged public that the invisible hand of the free market works better than windfall-profit taxes, price controls, or federal interference with corporate investment decisions. It's worth remembering that during the most explosive oil-price increases in history, and with the prospect of a tough reelection fight on the horizon, Jimmy Carter used his executive powers to remove the price controls he had inherited. And President Carter was eventually beaten by a candidate—Ronald Reagan—who promised to go even further to liberate the industry from government interference. Today's Republicans in Washington could learn a thing or two. **NR**

■ THE SUPREME COURT

The Right Justice

Alito isn't just confirmable—he's a great choice

EDWARD WHELAN

SUPPORTERS of President Bush's nomination of Judge Samuel A. Alito Jr. to the Supreme Court shouldn't get complacent, but the fundamentals are all in place for Alito to be easily confirmed by the Senate on January 20.

For starters, Alito is a spectacularly well-qualified nominee—among the best-qualified ever. In the Reagan administration, he briefed and argued cases before the Supreme Court and then served as a deputy in the Office of Legal Counsel—the office in the Justice Department, previously headed by Rehnquist and Scalia, that advises the White House on difficult questions involving the Constitution and other federal law. His years as a federal prosecutor, first as a young lawyer and later as a U.S. attorney, give him an invaluable real-world understanding of criminal-law enforcement. And he has been a federal appellate judge for 15 years. In all these capacities, Alito has shined.

Despite Alito's 700-plus opinions, the Left has found no real ammunition to use against him. Consider its feeble charges on the hot-button issues of abortion, civil rights, and federalism.

On abortion, Alito's critics have focused attention on his 1991 dissenting vote to uphold a spousal-notice provision that had been approved by overwhelming majorities of both Democrats and Republicans in the Pennsylvania legislature and was strongly supported by Democratic governor Bob Casey. What pro-abortion activists try to depict as a draconian provision was in fact mild. The law required as a general rule that a married woman seeking an abortion inform the abortionist that she had notified her husband that she was about to have an abortion. But she was not required to do so if she instead stated that a) her husband was not the father of the child, b) her husband could not be located, c) the pregnancy resulted from spousal sexual assault that had been reported, or d) she had reason to believe that furnishing notice would likely result in bodily injury to her. Notice was also not required in the event of a medical emergency. Further, as Alito observed in an aside, it was "glaringly apparent" that this provision would be "difficult to enforce and easy to evade."

Alito and the panel majority agreed that the spousal-notice provision was to be tested against the "undue burden" analysis that Justice O'Connor had set forth in her opinions as of that time, and Alito carefully explained why O'Connor's own analysis supported his judgment that the provision passed her test. It is true, of course, that in *Casey*, the subsequent Supreme Court ruling, O'Connor—famous for her inconsistency—was part of the five-justice majority that ruled that the spousal-notice provision did constitute an "undue burden"—under a new version of that label masquerading as a standard. The *Casey* majority also waxed silly about the "troubling degree of authority" and "dominion" that this toothless provision supposedly gave a husband over his wife.

The American people, understanding better than the *Casey* majority what marriage is, overwhelmingly support spousal-notice provisions. Senate Democrats will highlight their own extremism on abortion if they attack Alito on this issue.

Notwithstanding the recent disclosure of Alito's 1985 statement criticizing *Roe*, Alito's defenders can show that he has neutrally applied the law in cases involving abortion. After the Supreme Court's ruling in *Stenberg* v. *Carhart* voided Nebraska's partial-birth abortion statute, Alito concluded that *Stenberg* required the invalidation of New Jersey's virtually identical ban. And, in a case involving Medicaid funding of abortions, Alito adopted a position on a question of administrative law—the applicable standard of review—that led him to defer (just as Scalia would have) to a Clinton HHS

Mr. Whelan is president of the Ethics and Public Policy Center and is a regular contributor to Bench Memos, National Review Online's blog about judicial nominations.

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Professor J. Rufus Fears is David Ross Boyd Professor of Classics at the University of Oklahoma, where he holds the G.T. and Libby Blankenship Chair in the History of Liberty. He earned his Ph.D. from Harvard University. A 21-time award winner for outstanding teaching, he was Indiana University's first-ever Distinguished Faculty Research Lecturer. He has written four books and more than 100 articles and reviews.

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directive that overrode a state limitation.

On civil rights, the lead gender-discrimination case (*Sheridan*) that the Left is using against Alito had Alito narrowly dissenting from a ten-member majority on a technical question concerning the mechanics of summary judgment in employment-discrimination cases. But four years later, a unanimous Supreme Court, in an opinion by Justice O'Connor, embraced Alito's position.

The race case that the Left is trumpeting (*Bray*) also involves a fine point of summary-judgment procedure. What divides Alito from the majority is Alito's sound understanding that claims of discrimination require, of all things, evidence of discrimination. It's not enough to show that an employer hasn't complied with its own internal procedures.

On federal-state relations, the Left's favorite talking point is Alito's ruling (in *Chittister*) on the Family and Medical Leave Act (FMLA) of 1993. In a straightforward application of precedent, Alito concluded that Congress did not validly override the states' Eleventh Amendment immunity when it purported to require states to provide twelve weeks of leave to state employees in poor health. Two Democratic appointees (including the most liberal member of the Third Circuit) joined Alito's ruling, and courts throughout the country, with the support of many Democratic appointees, have reached the same conclusion. And, contrary to the Left's claim, the Supreme Court did not overrule Alito when it later held that a different subpart of the FMLA could apply against the states.

Alito's dissenting opinion (in *Rybar*) that a broad federal ban on the possession of a machine gun is beyond Congress's Commerce Clause power also provides his critics with only blanks as ammunition. Alito's position faithfully applied the Supreme Court's fresh ruling in *Lopez*, which held that Congress exceeded its power under the Commerce Clause when it criminalized the possession of guns near schools. And, belying the nasty epithet "Machine Gun Sammy," Alito pointed out that all the states in the Third Circuit already had bans in place, and he spelled out ways that Congress could enact a federal ban.

The Senate confirmation process should proceed smoothly. Sen. Arlen Specter, chairman of the Judiciary Committee, has signaled clearly from the outset that he is favorably disposed toward Alito. To Specter's credit, he has recognized that Alito's intellect and other manifest qualifications outweigh the significant differences he and Alito have on judicial philosophy. With Specter's support, Alito would be virtually guaranteed a favorable vote in committee. And Specter's support would also make it more difficult for other Senate Republicans to jump ship.

Which brings us to the Gang of 14, the seven Republicans and seven Democrats who joined together last May to preserve use of the filibuster against judicial nominees in "extraordinary circumstances."

Judge Samuel A. Alito Jr.

Absent a dramatic turn of events, there appears no prospect that these 14 senators would agree that Alito's nomination presents "extraordinary circumstances," nor have any other Democrats shown any appetite for a filibuster.

In all likelihood, Alito will be an effective witness at his hearing. Like Chief Justice Roberts, he is an experienced Supreme Court advocate who will not be intimidated by the high-profile setting and who will maintain a confident and respectful demeanor. Alito's long judicial record gives him one advantage over Roberts, as it provides a body of material that he can discuss and explain.

Many conservatives were understandably disappointed that the Judiciary Committee did not schedule Alito's confirmation hearing for early December, with a final floor vote before Christmas. But the schedule that has been adopted—the hearing is set to begin January 9, with the Senate floor vote on January 20—should work well. The long period before the hearing deprives Democrats of a seemingly neutral reason (not enough time!) to oppose Alito. It has already put an end to the frenzy of daily articles uncritically reciting the Left's latest smears. And Alito's opponents are unlikely to generate a lot of public controversy over his nomination in the intervening weeks: Americans won't be eager to hear attack ads while they are celebrating Thanksgiving and Christmas. So Democratic senators are likely to return to Washington in January regarding Alito's confirmation as a virtual fait accompli.

Confirmation in January rather than December will keep O'Connor on the bench longer, but should not affect the Supreme Court's decisions. The Court's settled practice is that a justice who has heard oral arguments in a case will not take part in the final disposition of that case unless he is on the Court at the time of the final disposition. If there are any hotly contested cases in which O'Connor is the deciding vote, it is highly unlikely that opinions in those cases would be ready to issue before the spring of 2006. So, absent some shenanigans, those cases will be set for re-argument after Alito joins the Court.

The one wild card in this overall assessment is the National Archives' release, in the coming weeks, of any records it has from Alito's executive-branch service. But Alito, unlike Roberts, did not work in the White House, and at the Department of Justice his jobs were more purely legal (as opposed to having to do with legal policy) than Roberts's position as an adviser to the attorney general was. It therefore is unlikely that the archives' records on Alito will have anywhere near the scope, volume, or interest that Roberts's records had. Nonetheless, reporters will be eager to gin up stories based on any documents that become available.

Lots of work remains to be done, and no one should underestimate how nasty the Left will get—or how many Democrats will end up voting against Alito. But those of us who fully expect Alito to be an outstanding justice should be heartened by the fact that this is a battle we are well positioned to win. **NR**

DARREN GYGI

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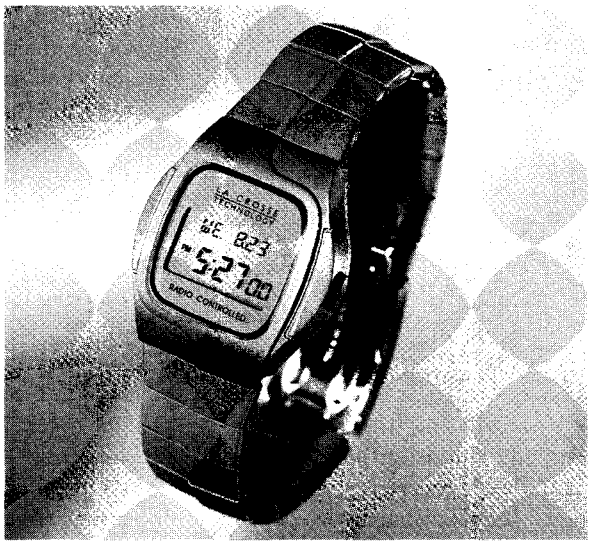

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■ THE MEDIA

Let's Play Hardball!

Or better yet, let's tell the truth

STEPHEN SPRUIELL

PATRICK FITZGERALD, the special counsel who charged I. Lewis "Scooter" Libby with perjury and obstruction of justice, warned reporters, "This indictment is not about the war. . . . The indictment will not seek to prove that the war was justified or unjustified. This is stripped of that debate, and this is focused on a narrow transaction." But that admonition has not stopped some journalists from picking up the Democrats' tune and pressing the question of whether the intelligence Bush used to justify Saddam Hussein's overthrow was "cherry-picked"—a suddenly popular phrase—or otherwise "hyped" to make the case for war seem more compelling.

MSNBC exemplifies how some in the news media are themselves cherry-picking quotes and hyping polls to strengthen the case that Bush misled the public. Since the indictment, MSNBC's Chris Matthews and David Shuster have hammered away at two themes: First, President Bush deliberately exaggerated the threat Saddam Hussein posed to the United States. Second, Vice President Dick Cheney masterminded the leaking of Valerie Plame's name to the media in order to retaliate against administration critic Joseph Wilson.

In order to advance the first of these themes, MSNBC has relied on videotaped segments from correspondent Shuster. These segments are all remarkably similar, featuring the same sound bites from the run-up to war, arranged in different orders depending on which conspiracy theory Shuster is hyping. In any of these interchangeable segments, MSNBC could replace Shuster with liberal *New York Times* columnist Frank Rich without dramatically altering the tone.

In a November 11 segment that ran on Chris Matthews's *Hardball* about the administration's "strategy" to convince the public that Saddam was behind 9/11, Shuster assembled some selective quotes and spotty poll data to paint an inaccurate picture of the Bush administration's prewar activities. Shuster reported that in the fall of 2002, "the White House started claiming that Iraq and the group responsible for 9/11 were one and the same." For good measure, photographs of the 19 terrorists appeared on the screen, followed by a clip of President Bush saying, "The war on terror—you can't distinguish between al-Qaeda and Saddam when you talk about the war on terror."

But as Brad Wilmouth noted on the Media Research Center's NewsBusters blog, Bush was not trying to impute responsibility for 9/11 to Saddam Hussein. The quote in context reads:

> The danger is that al-Qaeda becomes an extension of Saddam's madness and his hatred and his capacity to extend weapons of mass destruction around the world. Both of them need to be dealt with. The war on terror—you can't distinguish between al-Qaeda and Saddam when you talk about the War on Terror. And so it's a comparison that I can't make because I can't distinguish between the two, because they're both equally as bad, and equally as evil, and equally as destructive.

At the end of the November 11 report, Shuster said: "The White House strategy worked. In March of 2003, one poll found 45 percent of Americans believed Saddam Hussein was personally involved in 9/11." But as reported by blogger George Gooding at Seixon.com, that number actually represented a *decline* in the percentage of people who believed that Saddam was involved in the attacks. In September 2002, 51 percent believed Saddam played a role in 9/11, according to the CBS poll from which Shuster apparently got the March 2003 figure. And on September 13, 2001, 78 percent of Americans believed that Saddam Hussein was "very likely" or "somewhat likely" to have been personally involved, according to a *Time*/CNN poll.

A Shuster report on *Hardball* on November 14 about Bush's Veterans Day speech was even worse. Shuster set out to find fault with Bush's defense that almost everyone, including Sen. John Kerry, former president Bill Clinton, and "intelligence agencies from around the world" had also believed that Iraq had WMDs after 9/11.

Shuster said, "It's true that foreign intelligence agencies and the Clinton administration agreed Saddam had weapons of mass destruction. But the Bush administration was the first to argue that Saddam posed an imminent threat to the continental United States."

The "imminent threat" canard is one of the most frequently cited by administration critics. But in fact, no one in the Bush administration said that Saddam posed an "imminent threat." Bush actually made the opposite case in his 2003 State of the Union Address: "Some have said we must not act until the threat is imminent. Since when have terrorists and tyrants announced their intentions, politely putting us on notice before they strike? If this threat is permitted to fully and suddenly emerge, all actions, all words, and all recriminations would come too late."

Lacking proof that Bush and Cheney lied when they presented their case to the American people, Shuster used a trick to make it seem that they had. He played two prewar statements about Iraqi WMD—one from Cheney, one from Bush—and then said, "According to the latest NBC News/*Wall Street Journal* poll, 57 percent of Americans are convinced the president deliberately misled the nation."

After three years of accusations by Democrats and media elites, it is hardly surprising that most people have bought into the myth of Bush's dishonesty. But the evidence falls drastically short of proving that the president deliberately misled his constituents. An equally plausible explanation of the myth's prevalence is that his constituents *have* been misled—but by others.

Shuster's colleague Chris Matthews, the host of *Hardball*, has mounted a sustained campaign to promote his theories about White House duplicity. In the course of this campaign, he has perfected the technique of the leading question. When

Mr. Spruiell writes the media blog for National Review Online.

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he interviewed Democratic senator Carl Levin regarding Levin's accusations that the White House had twisted intelligence, Matthews asked: "If you were to write a chapter in history and start it with a paragraph, how would you describe the way in which the United States, attacked by religious, fundamentalist zealots from the Islamic tradition, but zealots, terrorists. How that attack led us to attack a country that had no detectable connection to that attack and in fact was run by a secular leadership?" Levin stumbled around for a way to improve upon Matthews's formulation before responding, "In a very mistaken, very arrogant way."

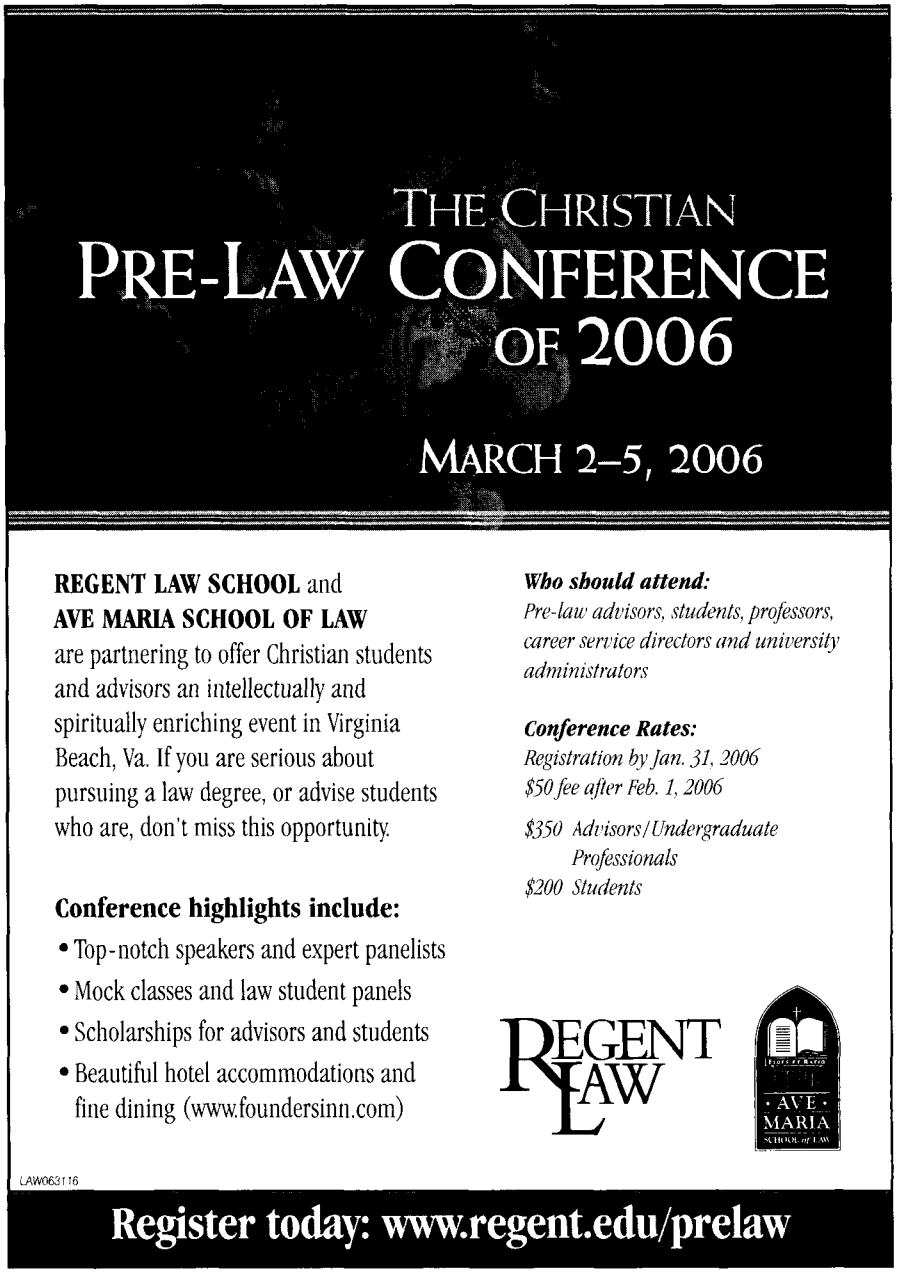
Instead of reporting a story about Scooter Libby's alleged limited misconduct, Matthews is obsessed with vindicating his longstanding suspicions that Dick Cheney is a Machiavellian genius who manufactured the case for war and instructed Libby to out Valerie Plame. Matthews's belief in Cheney's power is so strong that, on November 8, he accidentally referred to him as Bush's boss, saying: "How can the president not suspect that his boss—I shouldn't say, what a Freudian slip—that his partner, Dick Cheney, didn't have a hand in leaking this?"

Matthews frequently exaggerates to make his theory that Cheney orchestrated the Plame leak seem more profound. On November 3, Matthews said:

> Let's get back and fill that in. Because we know the first step in this chronology is that the vice president, according to the indictment, told Scooter Libby who Valerie [Plame] Wilson was. She was working for the CIA and had some role in sending her husband on that trip to Africa. Then we know a month later—exactly a month later—neatly, July 12 of 2003, the vice president's chief of staff, Scooter Libby, the defendant here today who was arraigned today, goes to see the boss and says how do you want me to deal with all the press questions about Valerie Wilson? A couple hours later that same day, he, the vice president's chief of staff, tells Matt Cooper of *Time* magazine and Judy Miller of the *New York Times* all about Valerie Wilson. Is that good enough evidence to convict Cheney as well here?

But the indictment does not allege that Libby asked Cheney for instructions on how to deal with the press. The indictment states: "On or about July 12, 2003, Libby flew with the Vice President and others to and from Norfolk, Virginia, on Air Force Two. On his return trip, Libby discussed with other officials aboard the plane what Libby should say in response to certain pending media inquiries." Libby is not alleged to have discussed media strategies with Cheney. Yet in Matthews's hyperactive imagination, we've got enough evidence to "convict" Cheney right here. In fact, Matthews goes on to compare Cheney and Libby to the Menendez brothers, who "cooked their evidence ahead of time," although Matthews kindly adds the caveat, "I mean, nobody's here guilty of murder unless you count the war itself and you want to get big-time about it."

Whether Matthews, Shuster, and MSNBC are crusading for justice or ratings, there is no denying that they are on a crusade. Under Matthews, *Hardball* has come to resemble a swap-meet of Democratic talking points and paranoid conspiracy theories, and shows no signs of letting up. The good news is that, in the cable-news ratings basement, MSNBC's damage is contained. The bad news is that, even though MSNBC is the worst offender, many other news organizations are singing the same basic tune. **NR**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■ AT WAR

Gitmo Legal

Why are top-notch law firms aiding Gitmo detainees?

DEROY MURDOCK

WHILE some attorneys who defend enemy combatants may be wild-haired, sandal-wearing radicals, most members of the self-styled Guantanamo Bay Bar Association actually are well-heeled lawyers with America's premier corporate firms. They are at the top of their profession, and enjoy the best America has to offer. They were schooled on our finest campuses and are enriched by fees from the country's most successful business clients. Their pro bono services—mainly filing habeas corpus petitions in federal court to free detainees from military custody—are worth perhaps $300 per hour in donated value, according to September's *American Lawyer*.

Manhattan's Center for Constitutional Rights (CCR), co-founded in 1966 by the late left-wing, wild-haired attorney William Kunstler, has spearheaded legal help for Guantanamo detainees. This advances CCR's progressive agenda:

> We continue to craft litigation that exposes the fundamental contradictions in American society that undermine the promise of justice for all: fault lines of race, class and gender; the ascendancy of global corporate privilege over individual rights: the intersection of poverty, race, and industrial pollution; and the indifference with which governments around the world continue to violate the human rights of their citizens.

CCR further says, "We're calling for the immediate closing of the Guantanamo prison camp." Until then, the center "is leading a team of more than 400 attorneys from around the country representing the detainees in the courts."

Enter the counselors in wingtips.

Mayer, Brown, Rowe & Maw, estimated to be the eleventh-largest law firm in the world, is expected to gross $911 million this year. According to its website, the firm now has "1,300 lawyers practising in seven U.S. cities and six European cities." Its clients include Bell South, Caterpillar, Dow Chemical, Whirlpool, and UAL Corp., the parent company of United Airlines, two of whose airliners al-Qaeda hijacked and destroyed in the 9/11 attacks.

"'Social Justice' is our own construct," the firm explains. "We consider this to be our 'cutting edge' work. . . . Examples of this work would be the *amicus* briefs we filed in the U.S. Supreme Court in the so-called Guantanamo Bay cases." Mayer attorneys lead *John Does 1–570* v. *George W. Bush*, which is essentially a class-action suit involving every enemy combatant at Gitmo not already suing the president for release during wartime.

Mayer, of course, is not alone. With offices in Manhattan's landmark Chrysler Building, among ten other offices nationwide, the attorneys at Blank Rome offer legal advice to R.J. Reynolds, Sunoco, and Boeing, the manufacturer of all four passenger jets that al-Qaeda weaponized on 9/11. But the client list of the attorneys at this firm is eclectic, also including one Khaled Abd Elgabar Mohammed Othman, a Yemeni national whom Blank Rome lawyers have defended in federal court as having been "wrongfully designated an 'enemy combatant.'"

Then there's the Los Angeles–based Manatt, Phelps & Phillips, which employs 300 "professionals" among seven offices in California, New York, and Washington, D.C. Among its clients are Alaska Airlines, Anschutz Entertainment, Harley-Davidson, Mattel, Pfizer, and Transport for London. This latter agency runs the London Underground, which al-Qaeda bombed on July 7, killing 52 commuters. On October 24, Manatt attorneys sued President Bush in federal court on behalf of suspected Islamic extremist Abdulkadar Abdulkhalik Dad.

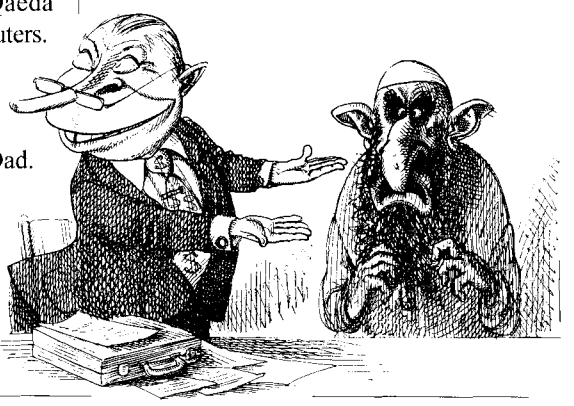
Shearman & Sterling has roughly 1,000 attorneys in 19 offices in a dozen countries, serving such clients as Deere & Co., Delphi, Ford, Morgan Stanley, and PG&E. Shearman partner Thomas Wilner, the lead attorney for twelve Kuwaiti enemy combatants, wants Uncle Sam to compensate detainees for time served at Guantanamo. "It would be very nice if they paid the people released at least as much as they paid the bounty hunters for capturing them," Wilner said in the *Legal Times* of Sept. 13, 2004.

So what drives America's highest-flying legal eagles to soar tirelessly and for free on behalf of suspected terrorists? While some attorneys seem driven by a quixotic quest for "social justice," others seem intoxicated by a blend of sentimentalism and naïveté.

Associate attorney Sarah Havens of Allen & Overy's New York office flew to Guantanamo bearing gifts for her clients. (The British firm is ranked sixth in the world by *American Lawyer*, with $1.22 billion in expected 2005 revenues. Citigroup, Merrill Lynch, and JPMorgan Chase are among those served by its 1,800 lawyers and 26 offices worldwide.) "Snickers were a big hit," she said in last February 18th's *New York Lawyer*. Her colleague, Sarah Fels, sounded downright weepy as she headed home: "The hard part was to leave and know they were going back into captivity."

Covington & Burling's Marc Falkoff has said of 13 Yemeni detainees: "I would invite any one of them to sleep over at my apartment. None of these guys are terrorists. None of these guys is a danger to the United States." Since they were arrested by authorities in Pakistan and turned over to U.S. troops in Afghanistan, Falkoff says he has spent about 92 hours representing them.

If Guantanamo's detainees are all innocent goat farmers who wandered haplessly into the wrong place at the wrong time, then the entire Guantanamo Bay Bar Association deserves a standing ovation. But military and intelligence experts are



ROMAN GENN

Mr. Murdock is a Scripps Howard columnist and a senior fellow with the Atlas Economic Research Foundation. Marco D. DeSena contributed research to this piece.

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not applauding. They vigorously assert that Gitmo overflows with hardened Islamic fanatics who are committed to slaughtering Americans. Besides which, Guantanamo detainees are not domestic criminal suspects entitled to the presumption of innocence. They are enemy combatants guarded by American troops.

The U.S. military's "detention of enemy combatants is not criminal in nature," says Pentagon press officer Cmdr. Flex Plexico. Rather, it is intended "to prevent [detainees] from continuing to fight against the United States in the War on Terrorism . . . as well as to gather intelligence to thwart further terrorist assaults."

"Many of these enemy combatants are highly trained, dangerous members of al-Qaida, its related terrorist networks, and the former Taliban regime," asserts a Pentagon paper that was declassified March 4 and titled "JTF-GTMO Information on Detainees." "Our intelligence and law enforcement communities develop leads, comprehensive assessments, and intelligence products based on information detainees provide. The information includes . . . plans for attacking the United States and other countries."

The document quotes and paraphrases several detainees. It's fair to say they lack their attorneys' generosity of spirit—misguided or reckless though that may be:

> A detainee who admits to being one of [Osama bin Laden's] primary drivers and bodyguards had in his possession surface to air missiles when captured. . . .
>
> After being informed of the Tribunal process, [another] detainee replied, "Not only am I thinking about threatening the American public, but the whole world."

At least twelve released detainees have used their regained freedom to nefarious ends. They have conducted terrorist attacks, murdered an Afghan judge, and shot at U.S. and coalition forces.

The attorneys who assist these detainees have wedged themselves between terrorist suspects and U.S. personnel, who are trying to garner valuable intelligence to uncover and thwart future hijackings, subway attacks, and dirty bombs. Muslim extremists at Gitmo, who otherwise might be willing to spill the beans about their buddies, instead have high-end attorneys jetting in to tell them: "Sit tight. We're working night and day to get you out of here."

"Why our best law firms would dedicate their pro bono resources to suspected terrorists rather than, say, people rendered homeless by Katrina, is beyond me," marvels one former high-level federal attorney who has been involved with these issues. "By definition, these representations only serve to expand the rights of alien enemy combatants during wartime."

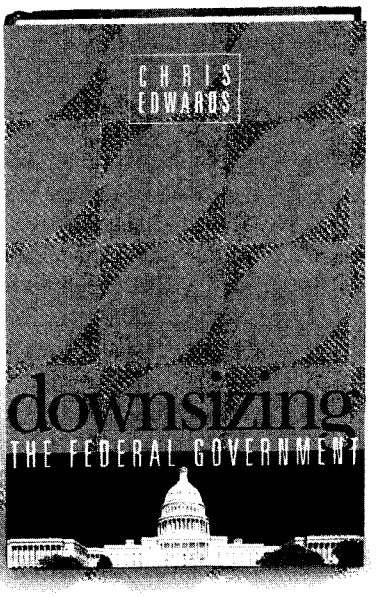
Lawyers from these other top-drawer firms that represent America's largest corporations also are members of the Guantanamo Bay Bar Association:

> *Covington & Burling (520 lawyers; $337.5 million in expected 2005 earnings). Clients: Coca-Cola, Deere & Co., Emory University, Goodyear, IBM, Merck, Microsoft, the NFL, UBS, and 13 Yemeni enemy combatants at Guantanamo.
>
> *Dorsey & Whitney, Minneapolis (640 lawyers; estimated 2005 gross: $330 million). Clients: 3M, Cargill, ConocoPhillips, General Mills, Northwest Airlines, and six Bahrainians at Guantanamo.
>
> *Holland & Hart, Denver (300 attorneys in twelve offices). Clients: Safeway, Sears, the Williams Company, and five Algerian terror suspects, including Dr. Abu Muhammed, Abbar Sufian al Hawary, and Motai Saib.
>
> *Hunton & Williams, Richmond, Virginia ("850 attorneys. 16 offices. Since 1901"). Clients: Bank of America, Colonial Williamsburg Foundation, Eli Lilly, General Dynamics, General Electric, and six Yemeni suspected terrorists, including Issam Hamid Ali Bin Ali Al Jayfi.
>
> *Paul, Weiss ($504 million estimated 2005 revenues). Clients: Chubb, DirecTV Group, I. Lewis "Scooter" Libby, Philip Morris, Time Warner, Viacom, and eleven Saudi Guantanamites.

So, join al-Qaeda, fall into allied hands, land in Guantanamo, and top-flight U.S. lawyers will fight for your freedom while the Great Satan's captains of industry unwittingly underwrite your legal expenses. Only in America. **NR**

...Utopian, but only to those who are blind to the dystopia that looms.

— **James M. Buchanan,**
Nobel Laureate



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■ AT WAR II

Iraq's Comeback Kid

Chalabi keeps his eyes on the prize

MICHAEL RUBIN

On November 8, Iraqi National Congress leader Ahmad Chalabi arrived in Washington for an eight-day visit. His agenda included meetings with Secretary of State Condoleezza Rice, Secretary of Defense Donald Rumsfeld, and national security adviser Stephen Hadley. To many pundits, Chalabi's visit marks a change in fortune for an Iraqi politician not long ago dismissed as irrelevant by diplomats and intelligence officials alike.

Disdain for Chalabi runs deep in the State Department, Central Intelligence Agency, and U.S. Central Command. As an advocate of both regime change and democratization, he became a lightning rod for criticism among proponents of the status quo.

Both before and after Iraq's liberation, State Department officials criticized Chalabi as an exile with little connection to his own country. CIA analysts seconded such pronouncements. On September 6, 2004, for example, Judith Yaphe, a former CIA Iraq analyst now at the National Defense University, told the Associated Press that "over the years, [CIA favorite Ayad] Allawi's contacts were proven to be real while Chalabi's were never what Chalabi told us." Former Defense Intelligence Agency official W. Patrick Lang described Chalabi as "basically an émigré politician" and told an Australian radio station that the CIA and State Department "didn't trust what he said [and] didn't think he understood Iraq, really." General Anthony Zinni, head of U.S. Central Command, belittled Chalabi and his Iraqi National Congress as "some silk-suited, Rolex-wearing guys in London."

But, in the months before Operation Iraqi Freedom began, Chalabi returned to Iraq. And after liberation, he became an irritant to Washington policymakers. While Coalition Provisional Authority administrator L. Paul Bremer sought to run Iraq by diktat, Chalabi agitated for direct elections and restoration of Iraqi sovereignty. He clashed with Meghan O'Sullivan, now deputy national security adviser for Iraq, when she worked to undermine and eventually reverse de-Baathification. He undercut White House attempts to internationalize responsibility for Iraq in the months prior to the 2004 U.S. elections when his Governing Council auditing commission began to investigate the U.N. Oil-for-Food scandal.

In a West Wing meeting, then–national security adviser Condoleezza Rice called Chalabi's opposition to the ill-fated Fallujah Brigade "unhelpful." Soon afterward, she directed her staff to outline ways to "marginalize" Chalabi. There followed espionage and counterfeiting charges—the former never seriously pursued by the FBI and the latter thrown out of an Iraqi court. Following the June 28, 2004, transfer of sovereignty in Iraq, John Negroponte—then U.S. ambassador to Iraq and now the director of national intelligence—refused to meet Chalabi. Cut off from U.S. patronage and without any serious Iraqi base, the analysts said, Chalabi would fade away.

He did not. Nor has he simply reinvented himself, as a State Department official suggested following Chalabi's November 9 address at the American Enterprise Institute. Rather, his relevance has remained constant. Unlike those of other Iraqi figures embraced by various bureaucracies in Washington, Chalabi's fortunes have not depended on U.S. patronage. His survival—and, indeed, his recent ascent against the obstacles thrown in his path by Washington—underlines the failures of diplomats and intelligence analysts to put aside departmental agendas to provide the White House with an objective and accurate analysis of the sources of legitimacy inside Iraq.

While the CIA has politicized its intelligence products to support its own proxies, its analytical failures go beyond institutional axe-grinding. Most analysts are in their 20s and 30s; recruited fresh out of college or graduate school, few have significant experience in the countries to which they are assigned. Security officers look with suspicion on anyone with too many foreign contacts and too much time spent in adversarial countries. While many CIA analysts gain book knowledge of their subjects, they lack cultural understanding. They study politicians, but have no sense of personalities. Too often, their products reflect mirror-imaging of the analysts' own thought-processes into their subjects. Cultural equivalence, too, pollutes analysis: Family may be important to Americans and Iraqis alike, but it means much more for Iraqis. To Americans, genealogy is a hobby. To Iraqis, it is honor.

And here Chalabi has an advantage. Chalabi's grandfather built modern Kadhimiya, a sprawling Shiite town that has since been absorbed into modern Baghdad; his father was president of the Iraqi senate during the monarchy. Genealogy gives gravitas. In contrast, even as Iraqis suffered under Saddam Hussein's rule, they expressed disdain for Saddam with reference to his uncertain paternity. (In post-liberation Iraq, the CIA's blind eye toward genealogy has been evident in its embrace of powerful Baathist families—the Bunias and al-Janabis, for example—even as many Iraqis dismiss such figures as déclassé and embarrassing beneficiaries of Saddam's largesse.)

The charge that Chalabi was an out-of-touch exile also turned out to be off the mark. One out of six Iraqis fled the country during Saddam's rule. But—unlike the case of Chinese mainland exiles in Taiwan, for example—there were no genetic differences between Iraqis living in their homeland and those abroad. The diaspora remained integrated with the Iraqi nation. Far more important to Iraqis than their politicians' continued residency in the country is that the politicians remain independent and untainted by Baathism. The true Iraqi power brokers—Patriotic Union of Kurdistan leader and Iraqi president Jalal Talabani; Supreme Council for Islamic Revolution in Iraq leader Abdul Aziz al-Hakim; firebrand cleric Moqtada al-Sadr; and Chalabi himself—all live out-

Mr. Rubin, a resident scholar at the American Enterprise Institute, is editor of the *Middle East Quarterly*.

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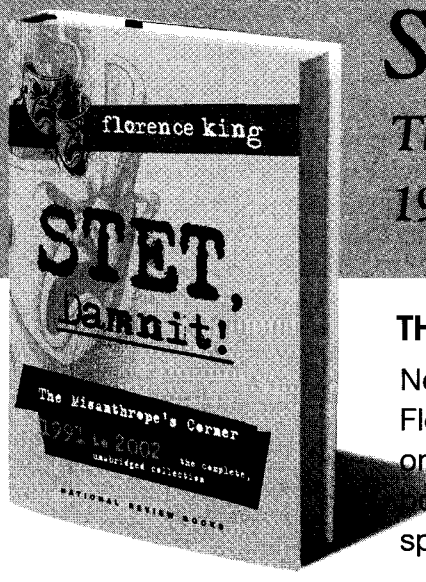
side the heavily protected "Green Zone" and operate without U.S. security. While all the other Governing Council members appropriated large houses abandoned by officials of the previous regime, Chalabi returned to his family's home—and the symbolism was clear to Iraqis. Ayad Allawi, in contrast, hemorrhaged support after accepting a house in the Green Zone and employing American security contractors.

Still, diplomats continued to brand Chalabi irrelevant, citing polls showing him to be among the least popular Iraqi politicians. Polling, though, does not translate well across cultures. Americans and Iraqis approach polling questions differently. Americans view popularity in terms of like and dislike. Iraqis are more likely to complain about effective politicians. Irrelevant figures are not worth condemning. Under Saddam Hussein, Iraqi television poured vitriol upon Chalabi, not upon Allawi or al-Hakim. Chalabi was the threat; the others a mere nuisance. The same polls that found Chalabi unpopular suggested that elder statesman and State Department favorite Adnan Pachachi was popular. But in the January 30, 2005, elections, it was Chalabi who was victorious; Pachachi's forces won not a single seat.

The roots of Chalabi's legitimacy have also been obscured by American analysts' failure to understand the religion factor: Most of American officialdom remains blind to Iraq's network of religious patronage, which has no parallel in Western society. A great deal of Chalabi's political base rests in his connection to the Kadhimayn Shrine. The resting place of both the seventh and ninth Shiite Imams, Kadhimayn is, after Najaf and Karbala, the holiest pilgrimage site in Iraq. Its proximity to Baghdad has made it a focal point of Shiite-Sunni sociopolitical and religious interaction. Chalabi's father financed the shrine's renovation.

While many other Iraqi politicians were trying to ingratiate themselves to Bremer, Chalabi spent his time outside the Green Zone fishbowl, revitalizing his family's Kadhimayn network of both Shiites and Sunnis. While Allawi trumpeted his Washington ties in quest of legitimacy, and al-Hakim turned toward Tehran for both guns and butter, Iraqis have seen Chalabi hold fast to Iraqi nationalism.

Chalabi's American detractors may wring their hands about his U.S. visit. Pundits may speculate about the White House's pragmatism. Conspiracy theorists may suggest that Chalabi's rise is part of a preconceived plan. But in reality, Chalabi has made no comeback: The sources of Chalabi's legitimacy have remained constant. What has changed is the growing realization that neither Langley nor Foggy Bottom has accurately assessed the Iraqi political scene. Part of the problem may be that reality did not mesh with their political agendas, but a far more serious American handicap has been an inability, more than two and a half years after the fall of Saddam, to understand the sources of legitimacy in Iraq. Washington may run the Green Zone but, for Chalabi, it is the rest of the country that matters. **NR**



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Panic in a Small Town

A new documentary stokes a pathological fear of . . . Wal-Mart

BYRON YORK

THE new movie *WAL-MART: The High Cost of Low Price*, directed by the Hollywood liberal activist Robert Greenwald, begins with the story of H&H Hardware, a small, family-owned business in Middlefield, Ohio. A man named Don Hunter describes how he founded H&H in 1962 and how it grew until one day it filled an entire building. As sensitive, slightly elegiac guitar music plays in the background, Don Hunter introduces viewers to his son Jon, to whom he turned over the business in 1996. Jon runs a good store; the employees really know the hardware business, and they work hard to help customers find what they need. And make things comfortable, too—an employee sets up benches outside the store each morning, right after he proudly raises the American flag.

At that point, the movie abruptly cuts to a black screen. The guitar is replaced by an ominous synthesizer. Shots of giant earthmovers appear, with the full-screen declaration: "WAL-MART DESCENDS ON MIDDLEFIELD!" Just in case the viewer might have missed the change in mood, a bulldozer dumps a load of dirt right onto the camera lens, and the screen goes black again.

A new Wal-Mart store is being built nearby, and the Hunters are not happy. "I've seen a lot of small communities crucified and forced out," says Don Hunter. "There will be a dramatic change of some type." And indeed there is; a few seconds later, the movie cuts to a shot of a sign announcing a liquidation sale at H&H. After 43 years the store is facing unbeatable competition and going out of business.

Wal-Mart has claimed another victim, leaving H&H's frustrated, angry employees looking for ways to rein in the company's power in the retail market. "I think the government should have more control," says one worker. "You talk about monopolies—if Wal-Mart's not a monopoly, I don't know what is." "They busted up Standard Oil and they busted up Ma Bell," says another employee. "But Wal-Mart seems to be going on a rampage through the American economy and nobody's even paying attention." Shortly thereafter, the movie cuts to a shot of the H&H Hardware building at night, and the store's lights go out one last time.

It's an affecting scene, and the end of a powerful segment, but, as it turns out, it didn't happen that way.

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In fact, H&H closed before Wal-Mart even opened—three months before. The hardware store had suffered from Ohio's recent economic slowdown, and additionally, according to some in Middlefield, H&H had been a troubled enterprise for quite some time, hampered by poor business and management decisions. Whatever the cause of H&H's failure, it wasn't the arrival of Wal-Mart in Middlefield. "Really, there was no connection," Don Hunter recently told NATIONAL REVIEW. "I've seen a lot of small local entities wiped out because of Wal-Mart. It happens all over, but that was not the case here." In fact, Hunter said, the business was sold to a new owner who has reopened it . . . as a hardware store.

The High Cost of Low Price also features a man named John Bruening, the owner of an optical shop not far from H&H Hardware. A self-described conservative Republican who questions some of Wal-Mart's business practices, Bruening told NATIONAL REVIEW that he believes the moviemakers had a storyline in mind from the very beginning—big bad Wal-Mart—and were determined to present it no matter what the actual situation in Middlefield was. "I told them, 'You're probably hoping that you can get a shot of all these people in [my] store and then come back eight months later and we're out of business,'" he said.

But that's not how things turned out. "The Wal-Mart came May 18, and I sat back and waited for our business to go down the tubes," Bruening said. "But it shot up, which the movie people didn't want to hear about. We're up about 38 percent right now. It has been so anti-climactic."

Taken in its entirety, *The High Cost of Low Price* is so one-sided and so unfair that it is unlikely to sway anyone beyond the self-styled progressive activists who already hate Wal-Mart.

THE WAGES OF WAL-MART

The High Cost of Low Price is the leading edge of a new wave of activism against the nation's—and the world's—largest retailer. Promoted heavily by several unions, particularly the United Food and Commercial Workers, which has been locked in combat with the company for years, the movie is a one-stop, 97-minute compendium of every charge, valid or invalid, that has ever been leveled against Wal-Mart. Some of those accusations are dead wrong, like the depiction of Middlefield. Others are questionable. And still others are valid: Wal-Mart does, after all, have some problems. But taken in its entirety, *The High Cost of Low Price*, and the anti-Wal-Mart activism it represents, is so one-sided and so unfair that it is unlikely to sway anyone beyond the self-styled progressive activists who already hate the company.

Leaving Middlefield, Greenwald's film crew goes to Texas, to show viewers how a Wal-Mart (which closed in 1990) destroyed the quality of life in the small town of Hearne. As the soundtrack plays Bruce Springsteen's plaintive version of "This Land Is Your Land," a Massachusetts-based liberal activist named Al Norman, founder of the group Sprawl-Busters, says of Wal-Mart's management, "They don't get it. When we start talking about quality of life, they start talking about cheap underwear. I keep saying you can't buy small-town quality-of-life in a Wal-Mart. They don't sell it. But once they steal it from you, you can't get it back at any price."

It's certainly true that some aspects of small-town life in the United States have changed dramatically in the last few decades. There are hundreds of places across the country where one can drive through a mostly empty main street to a strip outside town lined with big-box stores and fast-food joints. But did Wal-Mart do that? All by itself? Even Al Norman wouldn't make that argument; Sprawl Busters advertises its successes in fighting not only Wal-Mart but Home Depot, Target, Lowe's, Kohl's, and CVS stores—"If it's unwanted development, Sprawl-Busters can help you stop it." The changes in small-town America are the result of a long list of factors, with Wal-Mart playing only one part, but *The High Cost of Low Price* would have the audience believe otherwise.

Moving on, the picture cuts to another full-screen banner: "Wal-Mart Drives Down Retail Wages $3 Billion Every Year." A look at the supporting material Greenwald compiled for the film shows that the figure comes from a new study by the University of California Berkeley Labor Center, a think tank funded in part by union money and staffed by pro-union professors and researchers. (The Center's advisory board is made up of representatives of the Service Employees International Union, the American Federation of State, County, and Municipal Employees, and the Teamsters, among other labor organizations). Using what they call a "novel" methodology, the Center's scholars argue that wages go up a bit in rural areas when a Wal-Mart arrives, but go down significantly in urbanized areas when a new store opens its doors.

Although *The High Cost of Low Price* presents this argument as unquestioned truth, there is, in fact, serious disagreement among economists about Wal-Mart's effect on wages. In early November, the company assembled a conference in Washington to address the issue, as well as the larger question of Wal-Mart's role in the U.S. economy. In what might be called an act of extraordinary open-mindedness, Wal-Mart made sure that anti-Wal-Mart experts were allowed to present their research. And indeed, the conference featured reports which argued that the presence of a Wal-Mart store tended to lower the wages in a given community. But the conference also included a study by Global Insight, the economic firm hired by Wal-Mart to run the

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conference, that argued that Wal-Mart's low prices have meant a net increase in spending power for workers, in spite of a decline in wages. In fact, the study said, Wal-Mart is so big that between 1985 and 2004, it single-handedly kept the *national* Consumer Price Index 3.1 percent lower than it would otherwise have been:

> The expansion of Wal-Mart over the 1985 to 2004 period can be associated with a cumulative decline of 9.1% in food-at-home prices, a 4.2% decline in commodities (goods) prices, and a 3.1% decline in overall consumer prices as measured by the Consumer Price Index. . . . The 3.1% decline in the price level was partially offset by a 2.2% decline in nominal wages, so that the net effect was to increase real disposable income by 0.9% by 2004.

Taken together, the studies suggested that the issue of Wal-Mart's impact on the American economy is a complicated one, with costs *and* benefits. None of that complexity, however, made it into *The High Cost of Low Price*.

It is true that a lot of Wal-Mart workers earn relatively low wages. According to company spokeswoman Mona Williams, Wal-Mart's average wage in the United States is $9.67 per hour. Roughly three-quarters of Wal-Mart's 1.3 million American employees are full-time, Williams says, meaning they work at least 34 hours per week. Of those, most work about 2,000 hours a year, for an annual income of $19,340. The national poverty level, as set by the Department of Health and Human Services, is $19,350 for a family of four. Even though that sum has significantly different buying power in different parts of the country, and even though not all Wal-Mart workers are the sole supporters of families of four, it's still a pretty low figure.

Relying on the work of a pro-union organization called Good Jobs First—which receives a substantial amount of its funding from the United Food and Commercial Workers—*The High Cost of Low Price* says that Wal-Mart's wages are so low that they have forced some employees to rely on state and federal poverty programs, especially for medical care. That, too, is true. But even a cursory examination reveals that Wal-Mart is not alone in that situation, and that work-

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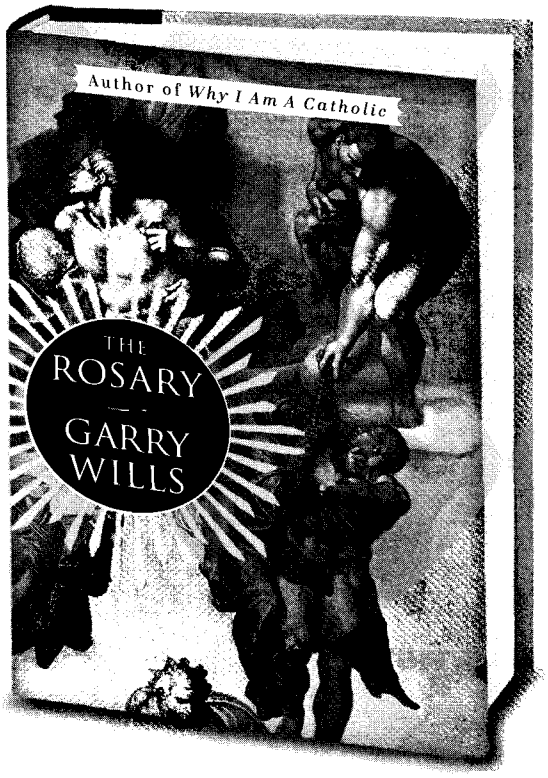

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ers from other companies also rely on poverty programs. For example, in March the *Arkansas Democrat-Gazette*, based in Wal-Mart's home state, reported that 8.8 percent of company employees in the state receive public assistance, a number "similar to other large retailers." For comparison, the paper noted that 8.6 percent of Target's Arkansas employees are on public assistance.

The percentage of Wal-Mart employees on public aid is higher in some other states. (That is because Wal-Mart's Arkansas workforce includes higher-paid corporate workers at company headquarters.) But in any event, concentrating on Wal-Mart, as is done in *The High Cost of Low Price*, does nothing to address the problem of working families on public aid, whether they are employed by Wal-Mart, Target, McDonald's, or any other company.

And it's not just private businesses either. For the state of Texas, the movie points to a study promoted by Good Jobs First showing that a high number of Wal-Mart's employees (or their dependents) receive help from the state-run Children's Health Insurance Program. Wal-Mart does indeed top the list. But *The High Cost of Low Price* leaves out the rest of the story. The majority of listed employers are not voracious corporations. They are public schools: The school districts of Houston, Dallas, El Paso, Austin, Brownsville, and others, including the University of Texas system, all have significant numbers of workers who rely on assistance programs. All those systems are ranked separately; if public education were considered one entity, it would far outrank Wal-Mart in the number of employees receiving public aid.

What all that suggests is the rather obvious point that low-wage workers, wherever they work, have a problem securing health insurance. That is a serious issue, but it is by no means a problem caused by or confined to Wal-Mart. *The High Cost of Low Price* also leaves out the overwhelming majority of Wal-Mart employees whom the company insures, many for the first time. "More than 160,000 people covered by our health-care plan had no coverage at all when they came to Wal-Mart," says Mona Williams. "That's 160,000 people who are off the list of America's uninsured because they work for Wal-Mart."

KILLER PARKING LOTS

The High Cost of Low Price goes on to attack Wal-Mart for its environmental policies, its relations with other countries, its founding family's wealth, and its ownership of corporate airplanes. It even attacks the company for what Greenwald believes is an inordinately high crime rate in Wal-Mart parking lots. The movie includes the story of Laura Tanaka, a woman who was abducted and robbed in a parking lot in California (she was later released unhurt). Tanaka sued the Wal-Mart, alleging that the company did not do enough to protect her—and she won more than $500,000, which was reduced to a little less than $145,000 on appeal. *The High Cost of Low Price* suggests that her experience is common at Wal-Mart; it features a montage of TV clips from news stories about crimes in store parking lots.

Greenwald cites searches of the online Google and Lexis-Nexis databases to support his point. But there's nothing systematic about his method, and the listing of dozens of crimes (several of them purse-snatchings) appears more damning than the reality. Yes, there are crimes in Wal-Mart parking lots, just as there are crimes in Target parking lots and Home Depot parking lots (Lexis-Nexis searches for crimes in other retailers' parking lots turn up dozens of examples). But it seems likely that there are more crimes in Wal-Mart parking lots for a simple reason: Wal-Mart has more customers—many more customers—than any other store. "We have more than 100 million visits to our stores every week," says Mona Williams. That is roughly equal to one-third of the population of the United States (although the total includes people who go to the store several times in any given week). "To highlight *some* incidences of crime—well, the percentage is very low."

In the end, many of the arguments against Wal-Mart presented in *The High Cost of Low Price* fail for one unavoidable reason: Wal-Mart appears at or near the top of nearly every index of corporate activity in the United States, including the bad ones, not because it is a particularly evil corporation, as Greenwald would have viewers believe, but because it is ranked near the top of *everything*. A lot of low-income workers? Yes—out of a workforce of 1.3 million. A big effect on local economies? Yes—just like when any other $285 billion company comes to town. A lot of crime in parking lots? Yes—out of 100 million customer visits per week. Wal-Mart's problems are not unlike those of other big-box retailers; they're just bigger.

Wal-Mart appears at or near the top of nearly every index of corporate activity in the United States not because it is a particularly evil corporation, but because it is ranked near the top of everything.

The High Cost of Low Price concludes on what is, for Greenwald, a hopeful note. After more than an hour of sad stories and downbeat music, a bouncy, upbeat song plays in the background and a we-can-fight-back mood fills the screen as activists describe their successful drive to prevent Wal-Mart from building in Inglewood, Calif. "The future of this community depends on our ability to stop the monster in its tracks," says Democratic Rep. Maxine Waters, who represents the area. The monster is Wal-Mart.

No doubt Greenwald and his colleagues sincerely believe that. But will they convince those people who visit Wal-Mart stores 100 million times each week? Not likely. **NR**

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■ POLITICS

A Horse of a Different Color

Maryland's Michael Steele and the courage of the black Republican

JAY NORDLINGER

As a black Republican, Michael Steele is used to taunts and attacks. Over the years, he has developed skin that is not only black but thick as well. "I'm not an elephant for nothing," he notes. Steele, the lieutenant governor of Maryland, will need that elephant's skin for the campaign he has just launched. He's running for the U.S. Senate, hoping to succeed Democrat Paul Sarbanes, who is retiring after five terms.

On the day he announced his Senate candidacy, all hell broke loose. Steve Gilliard is a popular blogger in New York, running a left-wing site called The News Blog. He ran a doctored photo of Steele, depicting him as a hideous minstrel. The caption underneath said, "I's Simple Sambo and I's running for the Big House." Nice, huh? But hardly novel for Mike Steele. When he ran for lieutenant governor in 2002, he was pelted with Oreo cookies. (Get it? Black on the outside, white on the inside.) The president of the state senate, Thomas V. "Mike" Miller—white, as it happens—called him "the personification of an Uncle Tom." (He later apologized.) The *Baltimore Sun*, in an infamous editorial, said, "[Steele] brings little to the team but the color of his skin."

What triggered the most recent rage over Steele was, first, the fact of his running for the U.S. Senate, and, second, a restoking of the Elkridge Country Club controversy. The Elkridge Country Club? You'll find it in greater Baltimore, and the governor of Maryland, Robert Ehrlich, held a fundraiser there in June. At the time, the club had no black members. It does now—in part, one may presume, because Ehrlich, Steele, and other influential figures asked the club to get with it.

Today, Ehrlich explains that he holds fundraisers all over the state, including at golf clubs, and he has not been in the habit of scrutinizing membership lists, or inquiring about race. What he inquires about is price: He's interested in the lowest costs on, for example, greens fees and food. At Elkridge, he and his supporters played 18 holes of golf and had a cookout. Those supporters included people of all races. Besides which, Maryland politicos and their like hold events at Elkridge all the time—we're talking about big Democrats, liberal newspaper execs, the teachers' association. (Me: "Not a lot of Republicans in that group, I imagine." Governor: "None.")

Mike Steele says that, when the press asked him about Elkridge last summer, he had just come out of a meeting on education—chiefly the education of poor blacks. And he responded that he had a hard time worrying about country-club admission when black Marylanders were in no position, financially, to join such an institution anyway. Where were our priorities? "That got played as flippant," he says—but he is far from blasé about discrimination. "I remember that I took my great-aunt in 1982 to her place of employment: a country club in South Carolina. I had to drop her off at the back door, because she couldn't enter through the front door. And as I was leaving, I saw a sign out front that said, 'For Whites Only.' This was in 1982! If someone wants to paint me as ignorant . . . Look, I know what my experience has been."

When Steele was attacked as Simple Sambo, some Maryland Democrats applauded, some kept mum, and others expressed disapproval. A legislator named Salima Marriott was not among the disapproving. "Because he is a conservative," she told the *Washington Times*, "he is different than most public blacks [true], and he is different than most people in our community [debatable]. His politics are not in the best interest of the masses of black people." But Democrats running for their party's Senate nomination did better, at least after a day or two. One of them, Kweisi Mfume—the former congressman and the former president of the NAACP—had the grace to say, "Black bigotry can be just as cruel and evil as white bigotry. There are too many bigots in too many places."

Governor Ehrlich says that, as soon as Steele announced, "the Democrats reverted to form." Certainly a great many of them did, in Maryland and beyond. "It was embarrassing, but not for us"—not for the state's Republicans. Kurt Schmoke, the former (Democratic) mayor of Baltimore, and now the dean of Howard Law School, appears to agree: "I was sad and disgusted, to hear what some of my Democratic colleagues were saying. I didn't believe it at first. It really shocked me. The public doesn't deserve this sort of thing, and Michael Steele in particular doesn't deserve it." Schmoke believes that the furor has helped Steele, in that "it has given him so much attention." Most others concur, including the candidate himself: People sense that he is something different, and figure he won't wilt. Kenneth Blackwell is Ohio's secretary of state, and he is running for governor there. He says that black Republicans—of whom he is one—should wear racial attacks as "a badge of honor": "Because if you weren't a threat," to establishments both black and white, "they wouldn't bother with you."

RICHES, OF A SORT

Michael Steele's story is fairly well-known, and will become even more so. There is an element of black Horatio Alger about it. Born 47 years ago in Prince George's County, Md.; raised in D.C. The family was poor, his mother working at a laundromat. But, as Steele said in his Senate announcement speech, he grew up in a "rich home—rich beyond our bank account. It was rich in character." His mother refused welfare, believing that it amounted to the government's raising her children. Young Mike was an altar boy—literally—and attended parochial schools. For college, he went to Johns Hopkins, becoming president of his senior class. He also felt the magic of Ronald Reagan. After college, he spent some time as a seminarian, and then enrolled in Georgetown Law.

Steele was not an instant success, kicking around some, striving and failing, losing money. Indeed, his financial history is an issue in the Senate campaign, with opponents sniffing around credit reports and such. But at each stage, Steele showed unusual determination and drive. In the 1980s, he got involved with the

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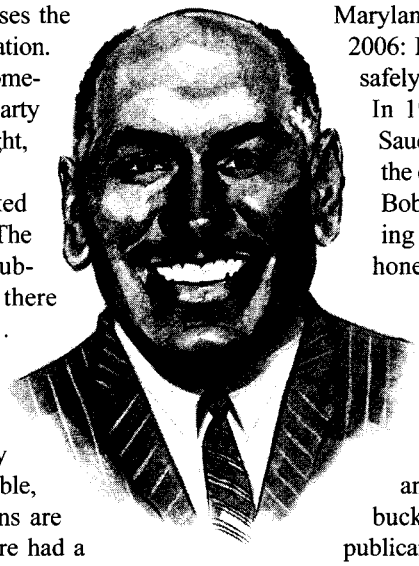
Maryland GOP, and in 1998 he sought the party's nomination for state comptroller. He finished third. But two years later, he was elected chairman of the state GOP.

Essentially, Steele is a Reaganite, and also a staunch supporter of George W. Bush. (Unfortunately for Steele, Bush's standing in Maryland is even lower than it is in the rest of the country. But the lieutenant governor is unlikely to run away from the president.) Ken Blackwell puts it nicely: Steele is "singularly focused on empowering people. He's not a statist, but a firm believer in individual dignity." He is both anti-abortion and anti–capital punishment. (Governor Ehrlich takes the opposite positions.) In a bit of heterodoxy—or further heterodoxy, if you count the stance against capital punishment—he is a supporter of affirmative action, though not in crude forms. In his speech at the 2004 national convention, he cited a striking list of heroes: Frederick Douglass, Martin Luther King, Ronald Reagan, and Maebell Turner. This last is the candidate's mother, a strong Roosevelt Democrat, even now.

I have read somewhere that he is a member of the NAACP. Is it true? "Yes," says Steele, "it's true. That reminds me: I have to renew my membership." Steele stresses the bipartisan, or nonpartisan, roots of the organization. "Julian Bond and others have turned it into something else, but the NAACP was always above party and ideology, interested in only what was right, period." Steele is not yet ready to give up on it.

In 2002, Ehrlich, a U.S. congressman, asked Steele to join him on the gubernatorial ticket. The odds were heavily stacked against the Republicans: Maryland is 2 to 1 Democratic, and there hadn't been a Republican governor since . . . Agnew, not a reassuring name. As Ehrlich is the first to admit, the conditions had to be "perfect" for his campaign to succeed, "and the campaign had to be perfect, too." They were, and it was. Steele—handsome, personable, dynamic—did his part. Maryland Republicans are pleased to note that the state had never before had a mixed-race ticket, and, lo, it was a Republican one. But make no mistake, says Ehrlich: "Mike was not put on the ticket with the idea that he would generate black votes. We're not naïve. But we were reformers, and we were presenting a different kind of party." Steele, Ehrlich is fond of saying, is "inconvenient"—inconvenient to elites both black and white. "He upsets their notion of what a black man should be, what he ought to think. He is his own person."



Michael Steele

DARREN GYGI

All agree that, as lieutenant governor, Steele has played a significant role in the administration. His portfolio includes education, a faith-based initiative, minority business enterprise, and trade. He takes a particular—and politically rare—interest in the fortunes of ex-cons. Governor Ehrlich points out that the state constitution assigns no duties to the lieutenant governor, "so the job description is whatever the governor wants the job description to be"—and Ehrlich has relied on Steele, giving him "wide latitude." A four-year record "gives Mike a lot to run on."

In the summer of 2004, Steele was tabbed to speak at that national convention, and some touted him as a kind of answer to Barack Obama, the (black) Democrat who was running for the Senate in Illinois, and had electrified the Democratic convention. (Obama eventually won, of course—over another black candidate, Republican Alan Keyes.) Steele himself gave a rousing speech, in which he linked the GOP to civil rights, and spoke a familiar credo, often attributed to Lincoln: ". . . You cannot strengthen the weak by weakening the strong. You cannot help the wage earner by pulling down the wage payer. You cannot further the brotherhood of man by encouraging class hatred. . . ."

Nor did he ignore foreign policy, showing some tartness: "[Senator Kerry] recently said that he doesn't want to use the word 'war' to describe our efforts to fight terrorism. Well, ladies and gentlemen, I don't want to use the words 'commander in chief' to describe John Kerry." That one sent Vice President Cheney rocketing out of his chair, and the rest of Republicandom enjoyed it as well.

'READY TO GO'

Party leaders in Washington urged Steele to run for the Senate, and he has accepted the challenge. Obviously, you would not want to bet the ranch on him, given the Democratic coloration of Maryland, and the cloudy picture for Republicans in 2006: It promises to be tough all over. What you can safely bet on is that race will continue to rear its head. In 1998, the Democrats did a number on Ellen Sauerbrey, the Republican nominee for governor. At the eleventh hour—under the guidance of operative Bob Shrum—they launched an ad campaign depicting Sauerbrey as a racist. This was too much for honest Democrats, including Schmoke, who was mayor. ("I know the difference between a political conservative and a racist.") But the campaign had its effect, and Sauerbrey went down.

"Do you have your chin strap buckled?" I ask Steele. "Oh, I've got mine buckled," he answers. "The question is, do they have *theirs* buckled, because they've never run across a Republican like me. I learned the game from them. I've watched them for years. And they'd better be buckled up, because I'm ready to go." Four years ago, the Ehrlich-Steele ticket won about 15 percent of the black vote. Can Steele, by himself, as a Senate candidate, win more? "I don't know," he says. (Governor Ehrlich, in a separate conversation, answers in exactly the same, direct way.) But Steele is ready to campaign everywhere, as he and Ehrlich did in 2002—"going to every neighborhood, talking about poverty, talking about entrepreneurism, taking on taboos." He knows that a few white conservatives will vote against him, or stay away from the polls, because of his skin color: "The Klan's running around the state here and there. Sure, sure." But he also maintains that "there will be some black liberals who hold their noses and vote for me."

And he emphasizes that there are many views among black Marylanders, as there are among black Americans in general. A Democratic congressman from the state, Albert Wynn, who is black, said something interesting the other day. He told *Black Enterprise* magazine, "[Steele] talks about values, and we've got some values issues in the African-American community that make him attractive to some people." In common with many black conservatives, Steele has a lot of what Thomas Sowell dubs "private

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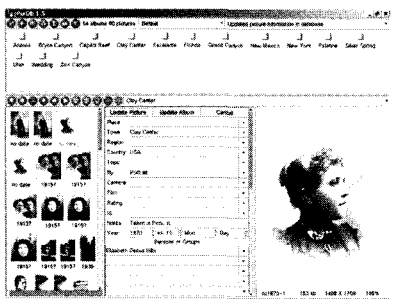
support"—people confide to you that they like you and agree with you, but wouldn't necessarily want it known. Steele says, chuckling, "People come up all the time and whisper in my ear, saying, 'I voted for you.' I tell them, 'Why are you whispering? We won!'" Kurt Schmoke is one of many Democrats who say that two-party competitiveness is good for blacks at large. "The refrain has always been, 'Democrats take us for granted, and Republicans ignore us.'" But if Republicans take a serious, sustained interest in black votes—look out.

Black Republicans who run for office are still a select group, but that group is growing. There's Steele in Maryland, and Blackwell in Ohio. Keith Butler, a pastor and former Detroit city councilman, is running for the U.S. Senate in Michigan. Michael Williams is the railroad commissioner of Texas, not the grandest position, but one from which Williams will almost certainly go on to grander things. Lynn Swann, the football great, is eyeing the governorship of Pennsylvania. And more than a few talk about America's secretary of state—the country's second straight black, Republican secretary of state—for the presidential ticket in 2008. There may soon come a day when black-Republican candidates are unremarkable. But that will not be tomorrow. Blackwell notes that, at this point in his long career, "I receive 50 percent of the black vote." One has to understand that "that's a direct threat to the Democratic party's base, and they will stop at nothing to protect their turf. There's no dignity, no principle—it's just a no-holds-barred assault."

It is possible that the Maryland Senate race will feature two black nominees: Steele—who is running unopposed for the Republican nomination—and Kweisi Mfume. The likelier Democratic nominee, however, is Congressman Benjamin Cardin (who is white). Every observer agrees that Steele would have an easier time against Mfume, who carries more baggage than Cardin, who is considered likable and competent. Does Steele agree with "every observer"? "I don't care who my opponent is. I'll take whoever shows up. You know why? Because I'm not running *against* anyone. I'm running *for* something. I want an honest debate, about serious ideas, and let the voters make up their minds."

An honest debate, about serious ideas—free of racial defamation and malice. Wouldn't that be something? **NR**



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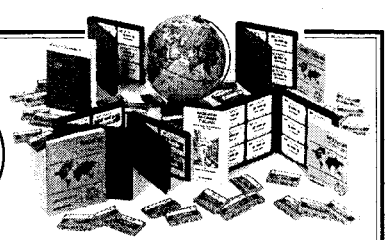

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■ ESSAY

Citizens of The World!

You have nothing to lose but your countries, and your freedoms, and . . .

JONAH GOLDBERG

MARXISM's half-life has been amazing. Outside of our finest universities, pretty much no one believes in the junk, and yet it hangs over the intellectual and political landscape like background radiation. Its categories and materialistic assumptions seep even into conservative analysis. We talk about the lower class and the upper class and, above all, we pay homage to that million-headed god of electoral politics: the middle class—as if this were an entirely natural way to divide our heterogeneous population.

Of course, Republicans increasingly speak the language of values rather than solely in economic terms. And it is a sign of Marxism's enduring appeal that liberals view this as fundamentally illegitimate. The proper role of government is to reflect the policy ambitions of the Left, they insist: How dare you make this about flags, gays, patriotism, crime, and all that jazz, when what we should really be talking about is expanding social welfare, shrinking inequality, and punishing the wealthy for the amusement of the poor? Thomas Frank's *What's the Matter With Kansas?* is a perfect example of the enduring stubbornness of the Marxist stain. This school of thought says, in effect, that middle-class Republicans are idiots for voting on cultural issues at a huge cost to their own bottom line. That analysis has been debunked in these pages more than once. But it is worth noting again that, no matter the bombast, it always boils down to the old Marxist doctrine of "false consciousness": Those who disagree with the Left about the political implications of their economic interests suffer from a kind of dementia or brainwashing.

Here's an idea, though. What if all this talk of economic determinism were merely a current advancing the real motivations of the Left, the intellectual tide now having receded far enough for us to see clearly what those motivations are? Liberals like Frank charge that conservatives use gay marriage and abortion to get tax cuts and corporate giveaways. Well, what if the real story is that liberals use the minimum wage and universal health care to get something nearer and dearer to their hearts? And what could that thing be?

The answer, in a word, is cosmopolitanism.

A GLOBAL VIEW

While today we associate cosmopolitanism with the ability to name good restaurants in European capitals, the word actually harks back to the Greek thinker Diogenes, who explained that he wasn't a citizen of any city (*polis*), but rather a citizen of the world (*cosmos*). This idea simmered for a while and came to a boil once again under the Romans. Their empire was so sprawling that they inevitably had to come up with a conception of civic duty that transcended mere ethnicity or geography.

When the Roman Empire gave way to Christianity, a spiritual dimension was added to the mix. The Catholic Church did not get its name by accident. Judaism, although presenting itself as a religion for a specific chosen people, had already laid down the concept of an all-powerful God who ruled over everything and everyone, whereas before pretty much everyone could have his own personal god (of water, or of yaks, or of toilet repair, etc.). Muslim monotheism is a related offshoot: Indeed, Mohammed inveighed against the temptation to define oneself by a specific land or country.

And then there was that whole Enlightenment thing, premised on the universality of man's reason and causing brilliant reactionaries like Joseph de Maistre to pooh-pooh the cosmopolitan buffoonery of the project. "Now, there is no such thing as 'man' in this world," he complained. "In my life I have seen Frenchmen, Italians, Russians, and so on. I even know, thanks to Montesquieu, that one can be Persian. But as for man, I declare I've never encountered him."

In short, the desire for everyone to be an equal passenger on spaceship earth is a very old one indeed, predating mumbo-jumbo about worker solidarity by millennia. In fact, socialism's appeal may have lain in its "one-worldism" from the beginning. Daniel T. Rodgers demonstrates in his epic intellectual history *Atlantic Crossings* how American progressives, British Fabians, social democrats, and continental socialists all saw themselves as part of the same intellectual and political "happening." And one reason the Soviet Union was greeted with such sycophantic applause by America's leading liberals—a.k.a. "useful idiots"—was that it was seen as the most ambitious front in the global battle for a world culture. Stuart Chase concluded his book *A New Deal* (allegedly where FDR got the name) by asking, "Why should Russians have all the fun remaking a world?"

This *joie de vivre* was what made H. G. Wells the most popular literary figure of the progressive era and beyond, captivating liberal minds with his relentless talk of a global "new republic," a "world state" with a "world brain" that would synchronize the planet in "universal democracy." He called on progressives in all nations to form an "open conspiracy" to fight for one-worldism. On several occasions in the 1930s, he even met with Franklin Roosevelt to share his ideas on the "reeducation of the species." Indeed, praise—and criticism—of both the Wilson and Roosevelt administrations was often grounded in belief that our expanded, centralized state was part of a larger effort to "Europeanize" America.

As the tumor of Marxism continues to shrink, cosmopolitanism finds room to grow. In a vast array of policy areas, the Left increasingly defines itself as pro-world and anti-U.S. According to a recent Pew survey, the less you like to fly the American flag, the more likely you are to be Democrat. The more you believe the United Nations is the last, best hope for the world, the more likely you are to be a Democrat. And, saddest of all, the more you believe America is a negative actor on the world stage, the more likely you are to be a Democrat.

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ANOTHER "DRUG BABY" MEDIA SCARE?

By Barry Lester, PhD, Director, Infant Development Center, Women & Infants Hospital, Providence RI

Recently (July 27, 2005), Medical News Today (MNT) carried a story with the alarming title, "Single prenatal dose of meth causes birth defects." Join Together, a prominent website, published a summary of the story with a similar headline and opening with the possibly more inflammatory, "Pregnant women who use methamphetamine even once put their unborn children at risk of birth defects" (July 29, 2005). **These headlines misleadingly imply that the research involved women when it actually involved mice, and both the original story and the Join Together summary failed to mention that this animal research may have little if any bearing on the health outcome of humans prenatally exposed to methamphetamines...**

Animal research has always been critical for understanding human problems.... But there are also limits to applying animal findings to humans.

This is one of the lessons we learned from the hype that surrounded the media-created "crack baby" of the 1980s. The media was quick to report early animal studies suggesting that prenatal exposure to cocaine caused serious and irreversible defects in children. The first round of human studies also predicted dire consequences. But these studies were preliminary and flawed. The results of larger, well-controlled studies failed to find any of the serious defects or malformations shown by the early animal studies or human studies...

Nevertheless, in response to this alarmist reporting, our nation became very angry with mothers who used cocaine during pregnancy and wanted them punished for harming their unborn child. Mothers were prosecuted instead of being offered treatment, and record numbers of children were removed from their biological mothers overburdening an already overburden foster-care system...

But what does this kind of animal research tell us about human babies? That question was addressed in March 2005 by a U.S. Department of Health and Human Services expert panel reviewing the literature on methamphetamine. They concluded that this kind of mouse study -- that uses direct injection into the peritoneum -- is not relevant to humans because pregnant women don't inject the drugs they are dependent upon into the peritoneum -- the membrane that surrounds the fetuses they are carrying...

The entire article is at www.jointogether.org/y/0,2521,578073,00.html

Common Sense for Drug Policy
www.CommonSenseDrugPolicy.org www.DrugWarFacts.org
H. Michael Gray, Chair; Robert E. Field, Co-Chair

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Environmentalism, particularly global warming, has given the Left a warrant to speak increasingly in global terms. Proponents of a "living Constitution" defend the scouring of foreign laws and precedents in order to find enlightenment abroad because it is lacking at home. And liberal foreign policy is of course saturated by one lugubrious assumption after another about the dangers of American "unilateralism."

WHAT ABOUT THE NATIONAL INTEREST?

In the late 1990s, it was common practice for liberals to use "unilateralism" and "isolationism" interchangeably. President Bush made this conflation logically unsustainable. You can call the invasions of Iraq and Afghanistan and the War on Terror a lot of things, but "isolationist" isn't one of them. It's easy to forget these days, given the Democrats' enormous investment in the "Bush lied" attack, but liberals' chief argument against the war didn't concern the existence or nonexistence of WMD; it was, rather, that our coalition wasn't big enough.

In this, Bush's strategy contrasted with Bill Clinton's foreign policy—which, Clinton often admitted, was based on the assumption that one day we'd no longer be able to "go it alone" and had better start hitching our wagon to the "international community." Indeed, Clinton seems to have gotten himself elected world leader of the avant-garde of unelected world leaders. His famous love of meetings couldn't be satisfied even by the international gabfests of Davos, so he started another organization—the Clinton Global Initiative, whose vaguely utopian underpinnings can be gleaned from the permanent quote at the top of its website: "In my life now, I am obsessed with only two things: I don't want anybody to die before their time, and I don't want to see good people spend their energies without making a difference." That's a pretty ambitious agenda. No wonder he couldn't leave room for even the tiniest obsession with America's interests.

The Hudson Institute's John Fonte and NATIONAL REVIEW's John O'Sullivan and Jay Nordlinger have all written a great deal about the "transnational elites" Clinton leads in his effort to erase concepts of sovereignty in favor of an enlightened global bureaucracy. "Transnational progressivism" means progressivism on a global scale: Economies need to be managed; reproductive choices planned; Third World cultures preserved; and, of course, oppressed identity groups condescended to and placated, usually at the expense of the United States and Israel—two states that have good reason to value sovereignty.

Israel's interests are existential. A bureaucracy dominated by the EU and the U.N. would simply chuck the inconvenient country into the outbox. That attitude reveals much about the staggering immorality at the core of outfits like the U.N., which assume that barbaric and tyrannical regimes are just as legitimate as decent and democratic ones.

America's interests are more complex, but one major factor is old-fashioned realpolitik. As America has become increasingly powerful in relation to the rest of the world, Europeans have bought into one-worldism for the same reasons Europeans have always formed Grand Alliances, Dreikaiserbunds, and the rest: to multiply their own power. There's nothing inherently wrong with that. But the feel-good ideology of one-worldism often gives such naked power plays the sort of ideological legitimacy that the Soviet Union's "liberationist" rhetoric gave its foreign-policy adventures.

So compelling is this rhetoric, it has transformed a new generation of liberals into a new generation of Lenin's "useful idiots." On the first page of his *Achieving Our Country*, left-wing philosopher-god Richard Rorty proclaims that he hopes "the United States of America will someday yield up sovereignty to what Tennyson called 'the parliament of Man, the Federation of the World.'" In 2004, after years of revelations of French, European, and U.N. mischief, it still didn't occur to the proudly French-speaking John Kerry that maybe he shouldn't campaign against our "cowboy" incumbent on the grounds that "foreign leaders" told him—*entre nous*, of course—that they needed him "to beat this guy." Every election, the herd of independent minds in Hollywood promise they'll move to Europe if their candidate doesn't win—and then, every time, the bastards break their promise. Elite liberals give interviews to the foreign press denigrating their own country, and they seem actually to believe that the nods from European reporters reflect the wisdom of their words. "[Americans] are possibly the dumbest people on the planet," Michael Moore told the British *Mirror*. "We don't know about anything that's happening outside our country. Our stupidity is embarrassing."

FANFARE FOR THE COMMON MAN

This embarrassment has a long and rich pedigree. What we call liberalism in America began as an intellectual war on the authority of the past. Charles Beard's *Economic Interpretation of the Constitution of the United States* was just the most famous example of a sweeping campaign to argue that America must break its grip on history and tradition if it is to make any progress. A diverse group of literary men—from Randolph Bourne to H. L. Mencken—dedicated themselves to battling "parochialism," "provincialism," and "backwardness." *The Nation* published a series called "These United States" that derided almost every non-cosmopolitan region of the nation as chock-a-block with "yokels," "boobs," and "puritans." Comfort with tradition and conventional patriotism, reverence for the Constitution-as-written, and a casual disinterest in the latest cleverness from Boston or New York was all that was required to earn you such a label.

The elite attitude was guaranteed to elicit a backlash. Indeed, the story of American politics in the last few decades cannot be told without taking account of that backlash, the best evidence of which (aside from George W. Bush's presidency) is the success of Fox News—a network whose founder recognized the reporting of the elite media as increasingly anti-American, albeit in a snooty and bloodless way. The lavish pageant of American flags rolling across the screen on almost every Fox News broadcast is a small reminder that many Americans don't see patriotism as a sign of backwardness.

Where all of this is going is anyone's guess, and there are numerous pitfalls for both the Right and the Left. One big problem for the Left is essentially electoral. A majority of Americans are unlikely to support candidates who have considerable disdain for a majority of Americans. The problem for the Right is more ideological. Patriotism can give way to nationalism very easily, and historically nationalism has been a friend of statism, collectivism, and restraint of free trade. Let's hope that, in its efforts to fight off one-world statism, the Right does not take refuge in a "patriotic" statism instead. **NR**

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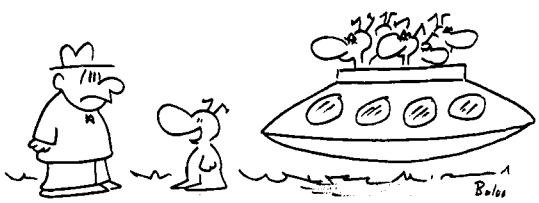
HELP!!!!

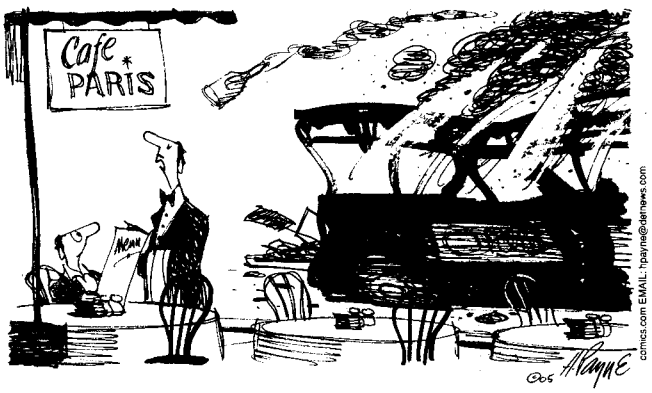
Rove's Mood

Observed like the glass on a clipper
Approaching Cape Horn, late reports
Suggest it's beginning to lighten;
One cannot confirm Karl's cavorts,
But judging from liberal faces
(They sag when the soothsayer blooms),
The West Wing's toe-dancing name dropper's
On point in the better messrooms.

—W. H. von Dreele



"Greetings, Earthling—we're here to take jobs Americans aren't willing to do!"



"You see, the superior French commitment to a humane welfare society avoids the harsh edges of your American capitalism."

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the long view

ROB LONG

Official Transcript: "Larry King Live," November 17, 2006:

LARRY KING: "We're back with tonight's guest, Sundar Keffala—am I saying that right? Keffala?"

SUNDAR KEFFALA: "Yes, that's right."

LARRY KING: "Like 'Kabbala' but with an 'f' in there, am I right?"

SUNDAR KEFFALA: "Close enough, Larry."

LARRY KING: "From Fairfield, Iowa! Hello!"

CALLER: "Hello?"

LARRY KING: "What's your question, caller?"

CALLER: "I'm just wondering if your guest has spoken to his American torturers since the publication of his book?"

LARRY KING: "Good question! Well, Sundar? Since the book came out, have you been contacted by anyone in the government? Anyone call to say sorry about all that stuff?"

SUNDAR KEFFALA: "Not one time, Larry. Not even a card or an e-mail."

LARRY KING: "That must hurt."

SUNDAR KEFFALA: "It does, Larry. It's almost like I'm being tortured again."

LARRY KING: "So go through the steps with me, if you would. You're in a cave in Afghanistan . . . "

SUNDAR KEFFALA: "Actually, Larry, let me just jump in here to correct the record. I was not in Afghanistan proper. I was in the dusty region between Afghanistan and Pakistan."

LARRY KING: "And what were you doing there?"

SUNDAR KEFFALA: "Consulting."

LARRY KING: "You were a consultant?"

SUNDAR KEFFALA: "Yes. In telecommunication strategy and direct marketing, mostly."

LARRY KING: "Working with any big firm? I see those commercials for Bearing Point all the time."

SUNDAR KEFFALA: "No, I was self-employed."

LARRY KING: "And then you found yourself in American custody and that's where it all started?"

SUNDAR KEFFALA: "Correct, Larry. I was kept in a small cell, forced to stay awake for hours on end, subjected to loud noises. I talk about all of this in my book."

LARRY KING: "The book is called 'A Shameful Discomfort' and it's out this week! From Indianapolis, hello!"

CALLER: "Yeah, hi Larry, hi Sundar, I was just wondering if Sundar could tell us what the worst thing that happened to him was?"

LARRY KING: "Worst thing? I'm thinking something with electricity?"

SUNDAR KEFFALA: "No, Larry. It wasn't like that."

LARRY KING: "The geniticular region?"

SUNDAR KEFFALA: "I was forced to eat a sausage, egg, and cheese breakfast biscuit from McDonald's."

LARRY KING: "Man, I love those. Can't eat 'em, though. Ticker trouble. Garlique, my friends!"

SUNDAR KEFFALA: "No, Larry, eating pork is prohibited by my religion."

LARRY KING: "Mine too. But it was really my cardiologist who—"

SUNDAR KEFFALA: "Larry, I'm a very serious and committed Muslim."

LARRY KING: "Right! Right! And they made you eat the unclean thing. God. Awful. What was your reaction?"

SUNDAR KEFFALA: "Furious. Devastated. Horrified."

LARRY KING: "Did you try the hash browns?"

SUNDAR KEFFALA: "No hash browns were offered."

LARRY KING: "Worse and worse. Our government, friends. Our tax dollars. Later on the program, Joyce DeWitt and kids with scleroderma! From Langley, Virginia, hello!"

CALLER: "Hi, Larry, I'm calling from CIA headquarters and I just have to respond to this guy. In the first place, the CIA absolutely forbids the use of torture by its employees and subcontractors. And in the second place, making a subject eat foods prohibited by his religion is specifically mentioned in the most recent torture-guidelines memo as being out of the question. So I'm not sure where this guy is coming from, but . . . "

SUNDAR KEFFALA: "You were not there, sir. I was made to eat a sausage, egg, and cheese biscuit."

LARRY KING: "Let's not forget the no-hash-browns situation."

SUNDAR KEFFALA: "And there's that."

CALLER: "Did you know anything?"

SUNDAR KEFFALA: "I'm not sure what you mean."

LARRY KING: "What do you mean, caller?"

CALLER: "Did he know anything? Was he just a guy off the street or did he have information material to the apprehension of a terrorist or the preemption of a terrorist threat? That's really the only scenario in which we'd torture someone."

LARRY KING: "I thought you didn't torture anyone?"

CALLER: "Oh, right. Yes, of course. I meant to say that if we did use torture in any way, which we don't, we'd only use it, if we did but we don't, to extract, um, information, from sources known to us to have access to important, um, information."

LARRY KING: "But you don't do that."

CALLER: "We don't do that, right. We may ask for said information in a forceful manner, of course. We may be brusque. There may be urgency to our request, but, yeah, no, no, no torture. Per se."

SUNDAR KEFFALA: "I was made to stand for hours. I was subjected to horrible noises. I was forced to eat forbidden meats."

LARRY KING: "And when were you released?"

SUNDAR KEFFALA: "About twenty minutes after I identified the home addresses of several members of al-Qaeda. But with a broken spirit. I talk about that in my book."

LARRY KING: "The book is 'Shameful Discomfort.' Fantastic! Tomorrow night! The whole hour with the Desperate Housewives!"

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The Lion King

JOHN J. MILLER

When Lucy Pevensie says that she has walked through a wardrobe and discovered a new world called Narnia, her older brothers and sister don't believe her. But little Lucy insists. By the fifth chapter of *The Lion, the Witch and the Wardrobe*, the classic book by C. S. Lewis, two of her siblings begin to worry that the poor girl has lost her head. So they approach Professor Kirke, who is looking after them during World War II. "There are only three possibilities," he says. "Either your sister is telling lies, or she is mad, or she is telling the truth. You know she doesn't tell lies and it is obvious that she is not mad. For the moment then and unless any further evidence turns up, we must assume that she is telling the truth."

It turns out, of course, that Lucy really is telling the truth, and it isn't long before all the Pevensie kids have traveled to Narnia. Untold numbers of readers have followed them there—more than 85 million copies of the seven-volume *Chronicles of Narnia* series are in print—and millions more will join them starting on December 9, when a film version of *The Lion, the Witch and the Wardrobe* reaches theaters. The movie's commercial potential is huge. If Narnia weren't by now one of the great brand names in 20th-century children's literature, its backers might have pitched *The Lion, the Witch and the Wardrobe* to Hollywood as a cross between *The Lord of the Rings* and *The Passion of the Christ*. That's because it is both a fantastic adventure story and a profound expression of Christian belief. Because of this, Lewis's famous tale not only stands on the threshold of blockbuster success, but also holds the potential to become the next great battleground in the culture wars.

Narnia certainly has its enemies. One of them is the White Witch, the fiendish creature who brings perpetual winter to the land. Another foe, in our own realm, is best-selling children's author Philip Pullman, who has described the Narnia series as "one of the most ugly and poisonous things I've ever read." (Pullman has explained his own motives for writing books for kids this way: "I'm trying to undermine the basis of Christian belief.") The Narnia movie may not deserve to generate controversy, but there can be no doubt that it will, especially from the quarters that objected to Mel Gibson's interpreting the story of the crucifixion. Watch for Pullman to go on a new round of opportunistic Lewis-bashing, the *New York Times* to print hand-wringing articles about Narnian theocracy, and the ACLU to threaten litigation against public-school teachers who read the book to their students or encourage them to see the movie. When Florida governor Jeb Bush chose *The Lion, the Witch and the Wardrobe* as the centerpiece of a statewide reading program, a columnist for the *Palm Beach Post* pounced. Frank Cerabino complained about "this cabal of Christian commerce" and added, "We're opening up the public schools to some backdoor catechism lessons." As this manufactured controversy unfolds, there will be crude references to the author's odd personal life, which included a lengthy relationship with the mother of a close friend—the source of endless gossip and speculation and controversy. Others will reproach Lewis for letting the word "darkies" appear in the *Chronicles* (he was a racist!), accuse him of preferring his male characters to his female ones (he was a sexist!), and theorize about why he spent most of his life as a bachelor and enjoyed the company of men (he was a closeted homosexual!). The attacks will begin from the moment movie reviewers—not an especially conservative group of people—file their first dispatches. The entire assault may prove relentless.

That's because the Narnia stories are much more than meaningless entertainment for children. Some readers have said that the stories are Christian allegories—i.e., literary representations of Biblical events. Lewis denied this, but he did call them suppositions: "Let us *suppose* that there were a land like Narnia and that the Son of God, as He became a Man in our world, became a Lion there, and then imagine what would have happened." And so Aslan comes into Narnia as a talking lion, suffers and dies for the sins of a child, and rises again. Most grown-ups understand what's going on here, even if many of the kids who listen to this as a bedtime story don't have a clue.

Clive Staples Lewis, of course, was the greatest Christian apologist of the 20th century. He was born near Belfast in 1898; he died at the age of 64, on the same day JFK was shot. None of his contemporaries could compete with his wit, intelligence, or influence, and arguably none has matched him since. He spent most of his adult life as a professor at Oxford and Cambridge, and by the 1930s he had established his reputation well enough that he was handed the prestigious assignment of writing the third volume in the *Oxford History of English Literature*. It covered the 16th century and took years to finish—frustrating Lewis so much that he wondered whether the pronunciation of its acronym, "Oh Hell," was more than a coincidence. Yet many Lewis aficionados consider it his finest work. Today Lewis is revered as a popularizer of the Christian faith who also produced some literary criticism; in truth, Lewis viewed himself as an academic who wrote about religion on the side.

He certainly possessed a remarkable vocation for it, in part because as a young man he had succumbed to atheism. Just as some of the most penetrating critics of Communism have been ex-Communists, Lewis's own period of irreligiousness equipped him with a disarming ability to explain and defend the principles of Christian life and thought. His conversion did not spring from a sudden epiphany, but was more like what his brother Warren called "a slow steady convalescence from a deep-seated spiritual illness of long standing." It was, above all, a carefully considered decision. His friend J. R. R. Tolkien, a fellow Oxford professor and an orthodox Catholic, was instrumental in coaxing him along. (Lewis returned the favor: Tolkien once said that he never would have finished

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The Lord of the Rings without his friend's unflagging encouragement.)

The writings of G. K. Chesterton also helped sway Lewis, especially Chesterton's observation that when Jesus claimed to be the Son of God, he was revealing himself to be either a crazy or a phony—or, in fact, the flesh-and-blood Son of God. This insight would have a profound effect on *The Chronicles of Narnia* and their depiction of Lucy's initial comings and goings through the wardrobe. Before that, however, it would help Lewis craft one of the most famous passages he ever wrote about his faith.

During World War II, Lewis delivered a series of radio broadcasts over the BBC. These were eventually collected in a book, *Mere Christianity*, which remains one of his most popular titles. In one of its short essays, Lewis noted that many skeptics are willing to call Jesus "a great moral teacher" but unwilling to accept his divinity. Lewis held a dim view of this position:

> A man who was merely a man and said the sort of things Jesus said would not be a great moral teacher. He would either be a lunatic—on the level with the man who says he is a poached egg—or else he would be the Devil of Hell. You must make your choice. Either this man was, and is, the Son of God: or else a madman or something worse. You can shut Him up for a fool, you can spit at Him and kill Him as a demon; or you can fall at His feet and call Him Lord and God. But let us not come with any patronising nonsense about His being a great human teacher. He has not left that open to us. He did not intend to.

It is a jarring passage—by no means an iron trap of logic (it is conceivable that a madman might utter wise words), but surely a line of reasoning that forces clear thinking. Protestant evangelist Josh McDowell has called this set of choices—Jesus as liar, lunatic, or Lord—the "trilemma." In *The Lion, the Witch and the Wardrobe*, Professor Kirke presents the Pevensie kids with their own trilemma as they consider Lucy's talk of Narnia. Call it "liar, lunatic, or logic." Before long, the children enter Narnia together and the older ones apologize to their sister for disbelieving her story.

As it becomes clear to them that Lucy is neither a liar nor a lunatic, Lewis's grand purpose begins to emerge. After asking Lucy's forgiveness, the Pevensies wonder where they should go. A robin flies into sight and offers itself as a guide. One of the kids questions whether they should follow it. Could it be leading them into a trap? "That's a nasty idea," says Peter, the oldest. "They're good birds in all the stories I've ever read." As Jonathan Rogers points out in *The World According to Narnia*, "This is the first instance of a theme that recurs throughout the *Chronicles*: The children know what to do because they have read the right imaginative stories."

Yet Lewis worried that the right imaginative stories were in short supply. (Another subtle theme of the Narnia books is the inadequacy of British schooling.) "There is too little of what we really like in stories," Lewis once told Tolkien. "I am afraid we shall have to try to write some ourselves." In offering Narnia, one of his main goals was to save children from his own fate of falling into the snare of disbelief. Lewis believed that a powerful sense of compulsion spoiled his religious upbringing. "Why did one find it so hard to feel as one was told one ought to feel about God or about the sufferings of Christ?" he once asked (in what was for him an uncommonly stilted passage). "I thought the chief reason was that one was told one ought to. An obligation to feel can freeze feelings." Then he continued: "But supposing that by casting all these things into an imaginary world, stripping them of their stained-glass and Sunday School associations, one could make them for the first time appear in their real potency." If war is the continuation of politics by other means, then Narnia is the continuation of Sunday school by different devices.

And so each of the books in the series contains elements of Christian instruction: *The Lion, the Witch and the Wardrobe* confronts the challenge of belief and introduces the concepts of sacrificial death and resurrected life; *Prince Caspian* describes a period of corruption and restoration; *The Voyage of the Dawn Treader* includes a baptism scene; *The Silver Chair* recounts a descent into hell; *The Horse and His Boy* takes on the problem of unbelievers; *The Magician's Nephew* offers a creation story and reveals the origin of evil; and *The Last Battle* depicts the end of the world. Many children who encounter these stories miss the analogues completely. That was all right by Lewis. "I am aiming at a sort of pre-baptism of the child's imagination," he once said. So when Professor Kirke explains why Lucy's reports of Narnia

WALT DISNEY PICTURES

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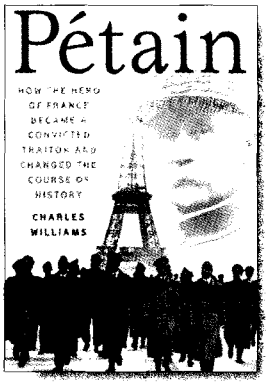
might be true, Lewis isn't hoping that kids will think of Chesterton. But he does hope to create the conditions for them to gain a sophisticated understanding of their faith, when they're ready to grasp it.

The miracle of the forthcoming movie may be that its producers didn't try to distort Narnia beyond recognition. There have been attempts to do this in the past. During the 1990s, for instance, Paramount owned the film rights to *The Chronicles of Narnia* and began to develop a script for *The Lion, the Witch and the Wardrobe*. Moving the book's setting from wartime Britain to modern Los Angeles (and replacing air raids with earthquakes) was the least of its flaws: The Pevensie children apparently entered Narnia not through a wardrobe but through a swimming pool, and the White Witch tempted Edmund not with Turkish delight but with cheeseburgers and hot dogs. Worst of all, Hollywood proposed that perhaps Aslan shouldn't be killed. That would have represented a literary sacrilege, like rewriting *The Passion of the Christ* so that Jesus doesn't die. "Some of these ideas really shocked me," says Douglas Gresham, a stepson of Lewis and an executor of his estate. "Ultimately these scripts were never made into movies because nobody really wanted to make them." One of the key factors must have been the concern that an unbowdlerized version would be seen as little more than Christian propaganda. Indeed, even HarperCollins, the publisher of Lewis's work, has felt the urge to neuter Narnia. Four years ago, it announced plans to release a new series of books based on Lewis's characters. "We'll need to be able to give emphatic reassurances that no attempt will be made to correlate the stories to Christian imagery/theology," said a memo that was leaked to the media. Lewis fans gnashed their teeth, and HarperCollins had the good sense to shelve this rotten idea.

By 2001, Paramount's rights to Narnia had lapsed. Walden Media, a Boston-based company headed by Michael Flaherty (who briefly worked for NATIONAL REVIEW in the early 1990s), bought them from Gresham. One of Walden's strategic aims is to take outstanding children's books and turn them into films. In the last two years, it has produced *Holes* and *Because of Winn-Dixie*; next year will see the release of a live-action *Charlotte's Web*. (For *The Lion, the Witch and the Wardrobe*, and its budget of more than $150 million, Disney ultimately became a co-financier.) Refreshingly, Walden has embraced Narnia's Christian themes. The movie is true to the book in almost every way. "*The Lion, the Witch and the Wardrobe* is a short book, so it's easy to get everything in," says Flaherty. The film actually contains several helpful flourishes. It provides extra historical context for the German bombing of London and the evacuation of city children into the English countryside. (At one point, a news broadcast plays over a radio in the background, and the voice belongs to Gresham—a thoughtful tribute to his stepfather's own wartime commentaries.) In the book, Father Christmas makes a joyful appearance in Narnia; in the movie, the scene closes with Lucy gently scolding her older sister Susan, "I told you he was real." Lucy is blessed with an extraordinary gift of faith, a quality that allows her to accept the reality of Narnia when her older and supposedly wiser siblings won't. Her new line, which she doesn't speak in the book, actually enhances the story in an understated but compelling way.

Unlike the works of other literary giants, which are often more admired than read, C. S. Lewis's writings have had an increased readership owing to the widespread acclaim. Yet Lewis is not great because he is popular; he is popular because he is great. His greatness has been ignored by some, especially in English departments. Others have scorned it. Such assessments won't change this winter, as Narnia achieves its highest level of public exposure. Instead, opinions of Lewis are bound to intensify. But the larger effect will be positive. Lewis enthusiasts massively outnumber Narnia's naysayers. Their ranks will swell, as moviegoers become book readers and book readers dust off an old favorite. And a new franchise may be born, as Hollywood becomes excited at the prospect of six moneymaking sequels. It seems hard to believe, but the importance of C. S. Lewis will increase rather than diminish. As Professor Kirke tells Lucy's brother and sister, when they come to grips with the possibility of worlds beyond our own: "Nothing is more probable." **NR**

A Sad Case



Pétain: How the Hero of France Became a Convicted Traitor and Changed the Course of History, by Charles Williams (Palgrave Macmillan, 320 pp., $29.95)

DAVID PRYCE-JONES

THE life of Philippe Pétain is a study in ambiguity that goes to the heart of the French experience in recent times. Holding the proud title of Marshal of France, he was both a hero and a traitor, and the line between these alternative perceptions of him easily blurs. Had he died between the world wars, he would almost certainly have been buried with other great Frenchmen in the Invalides. He was already 84 when France collapsed in the summer of 1940, and he stepped forward to offer the country what he called, grandiloquently, "the gift of my person." This gift meant that after a series of highly dubious constitutional steps, he became head of the rump regime of Vichy, which was all the victorious Germans were prepared to allow the French. Once the Allies were winning the war, Vichy duly foundered. Tried and sentenced to death (but then reprieved), Pétain lingered wretchedly in prison till the age of 95.

The historian Marc Bloch gave the title "Strange Defeat" to his pioneering book about the catastrophic events of 1940 because neither military nor sociopolitical factors could fully explain

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what had just happened. Some sort of widespread psychological adjustment was taking place. Hitler's blitzkrieg occupations of other countries, and now France, seemed evidence that totalitarianism was spelling the end of democracy. Nazism and Communism would share the spoils in a new Dark Age that might well last for centuries.

The French government was at a complete loss in this predicament. It was not unreasonable to suppose that Britain would be conquered with equal speed. Pétain's gift of his person could be justified if the French population were to be spared unnecessary suffering—but this supposed that Pétain had the courage to stand up for France's interests, and was prepared to pay the price for doing so, come what may. Instead he agreed to an armistice, and afterwards to collaboration, and finally to capitulation, all on German terms.

Doing the dirty work for the Germans—who themselves lacked the manpower for it—the Vichy regime under Pétain and his vice premier Pierre Laval installed and supervised a French version of fascism, complete with the Milice (a homegrown Gestapo), and participation in the mass murder of Jews. An opportunist without any principles or scruples, Laval was confident of ultimate German victory, and he constantly urged surrender to every demand of the Germans on the grounds that otherwise they would brutalize the French as they were doing to the Poles. A survival from another age, comparable to Chamberlain or Halifax, Pétain was quite unfitted to deal with a 20th-century dictator like Hitler, or even with a fascist evil genius like Laval.

Evidently keen to evaluate leading statesmen of the day, Charles Williams has written biographies of Adenauer and de Gaulle. A member of the House of Lords and an active Blairite politician himself, he is an improbable person to be arguing that Pétain's mistake was to end up on the losing side, and that for that reason he may have been treated unfairly. Using the sources well, and telling the story readably, he strains to be as sympathetic to Pétain as the facts allow. As he sees it, Pétain was an archetypal outsider, a peasant who did not fit into an army with an aristocratic officer corps, an atheist in predominantly Catholic circles, and a cold personality as well. Good-looking with his bright blue eyes and fair hair in his youth, Pétain was an inveterate womanizer. A long affair with Eugénie Hardon, known as Nini, involved assignations in hotels; and their eventual marriage had ridiculous domestic aspects worthy of a Feydeau farce.

Pétain had been a lecturer in military tactics, but his promotion in World War I owed more to politicking than skill. Williams nonetheless insists that Pétain knew how to handle infantry, and made sure that the troops were properly equipped. He built up heavy artillery, and studied the deployment of tanks and aircraft, both novel weapons in World War I. At Verdun he won his reputation; he received his marshal's baton through a defensive strategy that other commanders had not worked out. The obtuse insistence of French generals on attacking led to such loss of life that the soldiers mutinied. In his finest hour, Pétain restored the army's morale for the final campaigns of the war, and so became a national emblem of hard-won victory.

An uprising of the Berbers in the early 1920s brought together Spain and France, the two powers that between them controlled Morocco at the time. Pétain's partner in this colonial war was Spanish dictator Primo de Rivera, and they proved two of a kind: narrow and authoritarian. Under de Rivera's influence, Pétain was to evolve into an admirer of Spanish fascism and General Franco. Here was a mindset characteristic of the period. Whatever he thought about Hitler and Germany as mortal enemies of France, he was impressed by the German performance, and when he had the chance at Vichy he did his best to emulate what he saw as its strength and discipline.

Choices were open to Pétain at Vichy. At any point he could have denounced collaboration, and declared for the Free French, seeking refuge either in England or in a neutral country. He could have ordered resistance to the German takeover of Vichy in November 1942, but instead buckled under. One of his military advisers commented at the crucial moment, "God, how cowardly we are today!"—a scathing remark Williams does not quote. Time and again, Williams exonerates Pétain as a man already past it, in his eighties, too muddled to make clear judgments, falling asleep when spoken to, signing whatever was put before him—and all this is true. But it left him to be the instrument of Laval and Hitler, and gave France a lasting legacy of doubt and shame.

There are no good reasons for doing bad things. Pétain's fatal flaw was self-importance. He truly believed that he was making a gift of himself to France and that all Frenchmen stood applauding him in grateful and respectful lines. Not at all the tragic figure that Williams implies, he had long been just a vain old booby. **NR**

THE MASTER

He had but to speak
A few bare words . . .
And all the sounds composed themselves
And zoned his song.

He had but to move his lips
A little in the enormous star-bright blackness
On the foaming shore.

He had but to repeat
Those syllables and cadences he heard
Humming at his own mysterious core.

—RICHARD O'CONNELL

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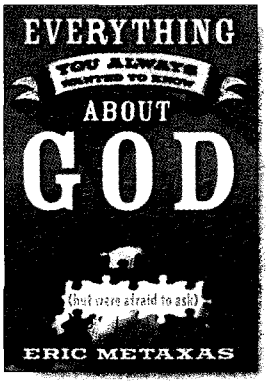
The Man Upstairs



Everything You Always Wanted to Know About God (but were afraid to ask), by Eric Metaxas (WaterBrook, 240 pp., $14.99)

S. T. KARNICK

THE title of this book is amusing, but it encapsulates something of the utmost seriousness—that the reason many of us know very little about God is not because the evidence is not there but because we really don't *want* to know. We're afraid to ask, because we know that the answer will define how we should live, and we'd rather be free to decide that for ourselves.

Christians call this phenomenon original sin, and it is the source of all the suffering in the world—as Eric Metaxas explains in this conversational but ultimately very serious book. Metaxas, a humorist who has written children's books as well as scripts for the *Veggie Tales* video series, notes that the evidence for God's existence is all around us. He organizes that evidence and presents it in an accessible question-and-answer format.

The book sets out to level the playing field between theism and materialism—a necessary task, because the standard of proof to which atheists hold claims about God is much higher than their standards for accepting their own belief in a purely material existence. Metaxas points out, correctly, that no one can prove that the material world is all there is. He further considers the meaning of the word *proof*, usefully noting that we know God exists "the same way we know lots of things, such as whether someone loves us or whether electricity is real or just a crazy idea. We base our view of things, and our view of the world, on observation, including other people's observations."

This is a crucial point in any argument about the existence and character of God: There are more ways of knowing things than simply through scientific proof, the testing of falsifiable propositions. In fact, the way we really know things is by perceiving them and experiencing them. We know gravity exists because we *see* things falling and we *feel* its effects on us. The same is true for arguments about God. Just as we know that gravity exists because we perceive it and experience it, believers know that God exists because 1) they perceive and experience the presence of God, and 2) they understand what that experience means. Unbelievers do not deny God because they have scientifically tested the proposition of His existence and found it untrue; they deny God because they cut themselves off from that experience and refuse to understand it when they see it in others.

They are able to do this, Metaxas writes, because God gives us freedom to choose whether to acknowledge and worship Him. God did this because love cannot be real unless it is freely given:

> God created us out of love, and He wants us to love Him back. But love can never be forced. . . . So God, in order to make it possible for us to love Him, gave us free will. Which means we can also choose not to love Him. By giving us free will, God gave us the ability to reject Him and all that is good, and thereby bring evil into our world. And all of us suffer in this life because of the evil that exists."

All the suffering in the world, Metaxas notes, is a result of our rebellion against God. This, of course, is the theists' classic answer to the Problem of Evil, the doubters' claim that the existence of suffering proves that God is either not omnipotent, not omniscient, or not benevolent, which they then offer as proof that God does not exist at all. The argument from free will not only answers this question, it also explains why hell exists: "God can't force us to have a relationship with Him; . . . [we] have the option of ignoring Him or rejecting His love. And the logical and eternal extension of that rejection is what we commonly call hell. Just as the logical and eternal extension of accepting God's love is what we call heaven, or paradise."

The good news is, "God isn't trying to cast people into hell; He's trying to bring them into heaven." The better news is that we don't have to do anything to earn this reward, and in fact there is nothing we *can* do to earn it. This is the concept of grace, "an extraordinary and infinitely wonderful thing," and it is what makes the Christian conception of God unique.

Metaxas writes that "grace is inescapably at the heart of the Christian faith." It is a gift, offered freely by God to each and every one of us, made possible because God's only son, Jesus Christ, "paid the price for our sins. It's His grace toward us, demonstrated in that act, that allows us to be close to God, to have a relationship with God, and to go to heaven. It's based on what Jesus did for us out of love for us, not on anything we do."

The good news is, 'God isn't trying to cast people into hell; He's trying to bring them into heaven.'

Metaxas outlines the two dramatically opposed claims to ultimate truth. On one hand, we have theism: "While God is our loving and intimate 'Papa,' He is also the infinitely powerful and all-knowing Creator of the universe"—and He wants us to be with Him forever and enjoy the gifts He gives us. On the other hand is materialism, from which "it follows very logically that life has no meaning whatsoever." Metaxas writes that "in deciding for or against God, we have enough evidence on which to base a decision, if only we'll face up to it." Original sin ensures that none of us would make the right choice on our own, but God's grace gives us a chance to experience His presence—and embrace it. **NR**

Mr. Karnick is an associate fellow of the Sagamore Institute for Policy Research.

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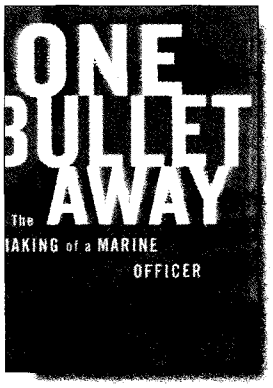
The Front Lines



One Bullet Away: The Making of a Marine Officer, by Nathaniel Fick (Houghton Mifflin, 384 pp., $25)

STEFAN BECK

Captain Fick was caught in an ambush outside Muwaffiqiya, Iraq. Running through bullets, he sensed time "expanding and contracting like a Slinky." A *Slinky?* The simile is out of place in a chronicle replete with martial jargon, with enfilading and suppressing fire, with M4s and MK-19s, with QuikClot and tourniquets. Out of place, but also one of the book's most telling details. It's a remnant of what Fick put behind him—a civilian culture of prolonged childhood—when he chose the course that led to his service in the Marines' elite First Recon Battalion.

Fick enlisted in the Marines as an undergraduate at Dartmouth, where he'd majored in classics. To him, the Corps embodied duty and sacrifice, ideas rarely discussed without cynicism in academia. While his friends were busy interviewing or interning, Fick attended Officer Candidate School at Quantico—where "individual" is a term of opprobrium and candidates learn what it takes to lead U.S. Marines. In OCS's final test, "the Crucible," Fick spent sleepless days running through forests, barbed wire, and snake-infested bogs—and thinking of the "soft and homogenized" society he'd abandoned.

On September 11, Fick was in Australia; his Pacific cruise aboard the USS *Dubuque* had been interrupted for artillery drills in the outback. The *Dubuque* was put on "THREATCON DELTA" and the Marines were off to the Arabian Sea at 20 knots. Responses to the attack ranged from the maudlin—"Amazing Grace" piped through the ship's P.A. system—to the grimly tongue-in-cheek, as with the soldier who said he would be fighting for "cheap gas and a world without ragheads."

Fick rallied his platoon: "If we're lucky, we'll be the ones to get revenge for this." What worried him was being responsible for his men's lives; the Afghans, after all, were battle-hardened. His team's first mission was to recover a Black Hawk helicopter that had crashed on the Pakistani border, before it could become a propaganda set-piece. "I didn't think about the sweep of history," writes Fick, who hoped only that he wouldn't "do anything stupid and get people killed."

That mission was a success—but it was only the beginning. Shortly thereafter, manning a roadblock outside Kandahar, the Marines got a taste of Afghan audacity. A truck approached; men leapt out of it with AK-47s and were mowed down. Then "a minibus and a dump truck, carrying dozens of armed men," joined the fray. A Navy jet swooped down, and "trucks full of Taliban soldiers disappeared in the flash, leaving only twisted metal and charred lumps of flesh." Combat, adrenaline, and the stench of death were palpable.

After the Afghan war, Fick was selected for Recon, the capstone of the Corps. This meant more training: Airborne, dive school, even mock field interrogations. Then came Iraq: Despite his experience and special training, the Iraq war pushed Fick to his limits. His account is rapid-fire, vertiginous. The early days, depicted on television as a cakewalk, were anything but for the troops on the ground.

Fick brilliantly evokes the split second before the first muzzle flashes of an ambush, the frustration of a *shamal* sandstorm, the terror of finding one's vehicle stuck in terrain like "crème brûlée"—hard on top and tar-like clay beneath. We wince when one of Fick's men observes that, where people at home complain about litter on the beach, Iraqis stoically accept heads in the streets and dogs eating corpses.

Fick's account doesn't shy from the appalling "human cost" of war. In the book's single most affecting story, he finds himself contending with orders not to give medical attention to children who have been shot by accident: "I could hold [the objecting officer] hostage until he called that helicopter. There was just enough cool self-awareness left in my mind to stop me." In the end, Fick shames a major into evacuating the boys. He comes away from the ordeal shaken, knowing now that it's impossible to do good without, at times, shouldering the responsibility of failure.

Fick's father had told him that the Marines would teach him everything he loved him too much to teach him. Fick's book is a treasury of that knowledge. No matter how much he endures, he is never comfortable with his job. He doesn't want to kill; he doesn't want to risk his men for orders that are the product of laziness, poor planning, or ignorance of the shifting reality on the ground. Nevertheless, Fick's awareness of duty and his sense of accountability are total. As he says of some dead Syrian fighters, "The men were adults who chose to be here. I was an adult who chose to be here. . . . The fight was fair."

His career a success, Fick decides that war is not his calling. "Many Marines reminded me of gladiators. They had that mysterious quality that allows some men to strap on greaves and a breastplate and wade into the gore. . . . I could never be like them." He's alarmed by the fact that he's come to look forward to firefights as if they were a "game of Ultimate Frisbee." Out of the service, he recalls, "When a driver cut me off in a merge lane, I visualized, without emotion, pulling his head back and cutting his throat with my car key." This wasn't a feeling he wanted to encourage. He thought of St. Augustine, who wrote that the condition of anyone who experiences evil "without anguish . . . is even more tragic, since he remains serene by losing his humanity." One cannot read Fick's words without appreciating his intractable humanity. It's one thing to risk one's life, another to risk one's mind. Fick risked both, and, miraculously, emerged more or less intact. His story is truly—as one Marine motto has it—leadership by example. **NR**

Mr. Beck is assistant editor of *The New Criterion*.

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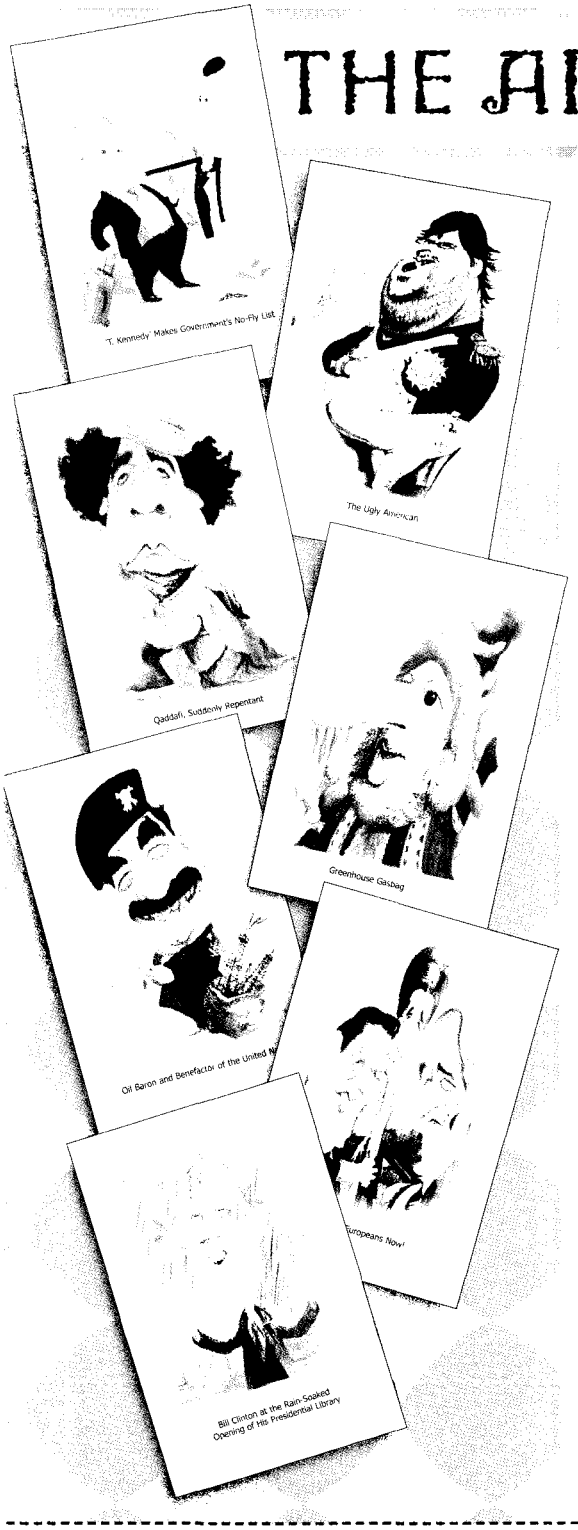
THE ART OF GENN . . .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■ ESSAY ■

Winners' Circle

JASON LEE STEORTS

I HEREBY announce my arrival as a Great Event in the world of sports. The future is now, and I am it: My running of the marathon in St. George, Utah, on October 1, 2005, is an achievement for the ages.

What was my time? Impertinent question! You are so *conventional*, with your petty thoughts of times and rankings, your unimaginative concern for who "finished first." I did not "finish first," but I did undergo much suffering, more than any rational person would inflict on himself, and *that* is the operative point. My pain is my achievement.

I ran the race with two unhealed leg injuries, you see: a strained IT band in my left knee and peroneal tendonitis in my right foot. The precise medical details aren't worth repeating. What matters is that they hurt like hell. Strained IT bands feel like someone is driving an ice pick into the side of your knee; peroneal tendonitis produces a subtler, more exquisite pain: at first, mild aches; after 20 miles, fireballs exploding near your ankle and searing their way up your calf. Both injuries are the bane of novice runners who push themselves too hard, their ambitions incommensurate to their abilities.

Many such novices solve the problem by revising their ambitions. Quitters. Real athletes visit an orthopedist and ask for a cortisone shot. By now it should be obvious, O reader, to which category I belong. As the doctor pumped my knee full of steroids, he expounded on my injuries, ending with a question: "Your body is trying to tell you something, don't you think?"

Whatever, man. You'll hear me laughing from the finish line.

On race day, the cortisone worked its magic, and my IT band was free of pain. The tendonitis might still afflict me—the cortisone injection had been for my knee only—but it was the more endurable of the injuries, and through the first seven miles I suffered not the least. My feet flew through the pre-dawn blackness, joined by the pitter-patter of 8,000 others, their sound soft and dimensionless as the voice of the sea.

But my tendonitis rose with the sun. It came on faint, like the nearly imperceptible lightening in the east. The dramatic landscape of southern Utah acquired relief; pink tendrils of cloud marked the sky; mountains and bluffs appeared first as silhouettes and then as purpled shadows. By mile 15, the sandstone cliffs all around me were drenched in golden light—and the pain in my leg had grown teeth of fearsome sharpness.

That is about when I got passed by a fat lady. Now she wasn't *really* fat—this was a marathon, after all—but she had a few extra pounds and should *not* have been passing an athlete of my caliber. An inspired thought came to me: *She has two healthy legs.* That was it! Results didn't matter, for my injuries put me in an altogether different class; my race time, no matter how slow, would be irreproachable. For the next two miles, this line of thought distracted me from the agony of each stride.

I remembered Phidippides, the Greek soldier at Marathon who ran 26.2 miles to give the Athenians warning of an impending Persian attack. Yes, he had fought in heavy armor all morning; yes, he had recently run some 280 miles, to Sparta and back, requesting reinforcements; and yes, he died of exhaustion shortly after his final run. But did he have a strained IT band and peroneal tendonitis? I think not.

I thought of Lance Armstrong and

■ BOOKS IN BRIEF ■

The Whig World,
by Leslie Mitchell
(Hambledon & London,
256 pp., $39.95)

THE term "Whig" is a pregnant one, but with what exactly? Some have treated Whiggism as a set of doctrines: Friedrich Hayek, rejecting "conservatism," called himself instead an "Old Whig." Others have treated it as a personality archetype: Thomas Jefferson wrote that the terms "Whig and Tory belong to natural as well as to civil history," for they "denote the temper and constitution of mind of different individuals." Still others have questioned the very idea of Whiggism, and argued that no such thing ever really existed.

To rescue us from confusion comes Oxford don Leslie Mitchell, who has distilled a lifetime of scholarship in a single volume, *The Whig World*. Mitchell defines the Whig not ideologically or temperamentally, but sociologically: The Whigs, he argues, were a distinct (and exclusive) social class. Nothing like them has existed before or since: the opulent, ancestor-worshipping, morally libertine, politically unpopular aristocrats who championed science, progress, reform, property, and, above all, liberty. Mitchell elucidates these characteristics in ten chapters, brimming with winsome anecdotes about such Whigs as Lord Byron and Georgiana, Duchess of Devonshire. For the layman, *The Whig World* brings the fusty abstraction "Whig" to life.

Like the American Founders, the Whigs were friends of modernity but not democracy. Civil rights for all was their creed, but political rights only for the propertied, virtuous few. This tradition may well have been the reason that Britain and America alone made a non-calamitous transition to modern democracy. Whigs have since disappeared from political life, but they left behind a powerful teaching, one often forgotten today: An uninformed and often irrational public cannot make sound political decisions. What we call "democracy" today succeeds only when it produces wise elites; let us remember that lesson before we try to spread democracy any further.

—AUSTIN W. BRAMWELL

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yawned. Don't bore me with Lance Armstrong; he waited until *after* he had recovered from cancer to start racing again.

I thought of Jordi Corominas, the great mountaineer who, in 2004, climbed the most difficult line on K2, the world's most difficult mountain. Somewhere along the way, his teammates turned back, but he pressed on, solo. He soon passed terrain so precarious that climbing down it would have been suicidal. Rescue was unthinkable. His only hope was to reach the summit and descend via a different, more conventional route. That is what he did—after 48 hours of non-stop climbing, much of it in the dreaded "death zone," those heights above 26,000 feet where it is all but impossible to function without supplemental oxygen. (Corominas had none.) An impressive feat, I concede—marred only by Corominas's possession of two healthy legs.

When, at mile 17, my tendonitis pains had become utterly ridiculous, I wondered what Jordi Corominas would do. We shall never know: What we know is that *I*—force of nature that I am—kept running.

When, at mile 24, a friend and fellow-runner told me that exhaustion was taking a toll on his emotions, and that he had burst into tears upon hearing John Lennon's "Imagine" on his iPod, the urge to strangle him was strong. "You dope!" I thought of screaming. "How could you cry for that stupid lefty pabulum? Don't you know how my leg feels? Cry for *me!*" Stoical, I said nothing.

And then, 100 yards later, catastrophe: The cortisone's magic ceased, and the ice pick went to work on my knee. I gasped; I stopped; I doubled over and groaned. A torrent of profanity rushed through my lips. I stood up and threw my left leg forward defiantly: No injured IT band would stop me!

And then the injured IT band stopped me. It had tightened up as soon as I quit moving, and the pain was now so intense that even walking required a heroic effort. *No one can criticize a heroic effort,* I thought as I hobbled the last two-odd miles to the finish line. The trick is to *look* heroic—so I made no attempt to hide my gimpiness. It was a smash hit, provoking gasps, cheers, and looks of overwrought concern from hundreds of onlookers.

Past the finish line, in the cool shade of a public park, I lay down on the grass and writhed in pain. I had no winner's medal about my neck, but the next day I would have something better: a pair of crutches. "Ask me about it," I resolved to reply to the inevitable stares. "Let me sing you my greatness."

I have now recovered, mostly. But when President Bush tires of sending hurricanes to the Gulf and makes cold rains for New York instead, I still walk with a slight limp. Long may it last—with any luck, all the way to June, when training season for next year's marathon begins. I'm already looking for the perfect follow-up injury, and have several promising leads. There is an infinitude of tendonitises I have not sampled. Shin splints are always in vogue. Stress fractures are a bit drastic, but I'm man enough for them. Besides, what are we not willing to endure for glory—we athletes, we heroes, we immortals? **NR**

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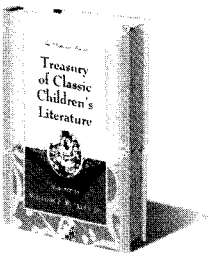

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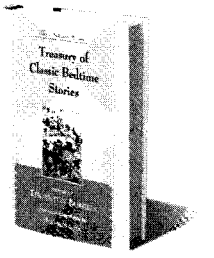

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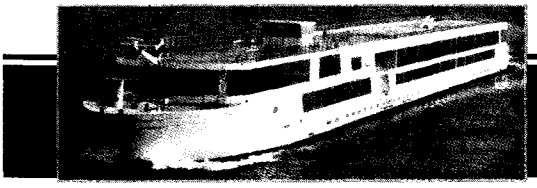

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This lovely cit is the chie

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Thur/May 4	Amsterdam	Arrive morning		Transfer to hotel
Fri/May 5	Amsterdam			Keukenhof/Aalsmeer flower auction tour
Sat/May 6	Amsterdam		6:30pm	Afternoon panel session Evening cocktail reception
Sun/May 7	Düsseldorf	11:00am	(overnight)	Morning panel session City tour/Benrath Palace
Mon/May 8	Düsseldorf		4:30am	
	Cologne	9:00am	10:00pm	City Walk/Cathedral and Brauhaus Tour Late-night Smoker
Tue/May 9	Koblenz	6:00am	2:00pm	Mosel Valley excursion Afternoon panel session Evening cocktail reception
	Rüdesheim	7:30pm	(overnight)	Late-evening wine tasting
Wed/May 10	Rüdesheim		6:00am	
	Mainz	8:30am	12:00 noon	Gutenberg museum and City walking tour
	Gernsheim	2:30pm (drop off)		Heidelberg excursion
	Mannheim	6:00pm	(overnight)	
Thur/May 11	Mannheim		2:00am	Morning panel session
	Strasbourg	2:00pm	(overnight)	City tour Late-night smoker
Fri/May 12	Strasbourg		1:00pm	Alsace/Vosges excursion Afternoon panel session Evening cocktail party
Sat/May 13	Basel	12:00 midnight (arrive)		

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center of the Rhine wine industry. Its famed Drosselgasse, a tavern-lined, cobblestone street, attracts locals and visitors alike. Half-timbered medieval houses, narrow streets, and old inns give the town the flavor of the Middle Ages.

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From this charming port we'll take an *NR* group tour to Heidelberg, famous for its esteemed university, charming Old Town, and awesome castle.

Renowned for its classical "chessboard" layout dating from the 17th century, Mannheim—featuring many elegant shops, cafés, and restaurants—is a haven for culture and the arts. You'll find the baroque Mannheim Residence, with its ornamental stucco knights' hall, of special interest.

This delightful border city exhibits both French and German influences. The old streets of "Petit France"—we'll saunter down them on the *NR* guided City Walk tour—with wooden houses and picturesque canals seem to make time stand still. We'll stay in this very special place overnight, with our second "day" featuring an NR excursion to delightful Alsace and Vosges.

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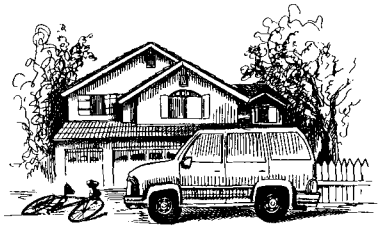

JOHN DERBYSHIRE

Please to remember
The Fifth of November
Gunpowder, treason, and plot!

Oh, I remember. My very earliest Guy Fawkes Nights were family affairs. Dad would have made up a modest bonfire in the back yard and bought a box of assorted fireworks from our local store, the same place where we got our newspapers, candy, and soda. When darkness had fallen and we could already hear fireworks going off in the neighborhood, we'd put our winter coats on, troop out down the garden, and light the bonfire. It had a rough-made Guy on it, of course, stuffed with back copies of Dad's *Daily Mirror*, and it was very thrilling to watch the Guy go up in flames and to wonder darkly how things would proceed with an actual person there. You had to have a Guy on your bonfire. The only place that didn't was St. Peter's School in York, alma mater of the actual Guido Fawkes, where it was felt that burning an alumnus in effigy showed poor school spirit.

You got a good selection of fireworks in those boxes. Lamest were the volcanos, conical things that you set on the ground and lit the apex of. They sputtered out varicolored flames and sparks. A small step up on the excitement scale were Roman candles, cylindrical and held in the hand (lit end away from you, of course). The Catherine wheel was a long thin tube of paper stuffed with powder and wound in a spiral around a small wooden disk. You nailed the disk to (in our case) one of the poles that supported the family clothesline. Once lit, the thing spun round, emitting a lovely circular display of flames. Then there were bangers, of course: You lit them, threw them on the ground, put your fingers in your ears, and waited for the bang. More exciting was the jumping jack, which banged many times in quick succession, everyone knocking into each other in the semi-darkness to get out of its way. My favorites were the rockets, always on a long stick. You put the stick into an empty milk bottle, lit the taper, and stood back. My sister, in common with most girls, preferred "sparklers"—lengths of wire coated to halfway along with some hard substance that burned with a fizzing white brilliance. In the darkness of a small-town November night you could write your name in the air with a sparkler before it burned down, the light so bright it lingered on the retina. I remember, I remember.

When I was a little older, with the liberty that came to older children in that time, and in every previous time, back to Tom Sawyer and beyond, but which has since been abolished in the interest of, what? I forget—when I was a little older, I say, I joined in setting up the neighborhood boys' bonfire. It was an immense thing, twelve feet high or more, on some waste ground nearby. Scrap wood and old furniture—discarded sofas or armchairs were in great demand at this time of year—had been diligently piled up for weeks before. The great fear was that some idiot from the neighborhood, or some commando squad from a rival neighborhood, would sneak in and torch your bonfire. Sentries were posted, as best this could be managed under parental dinner-time and bed-time rules. In fact I never knew of a bonfire being prematurely lit, though it would have been easy to do. I think the deed was just too dastardly for anyone to carry out. On the Fifth, of course, the thing would go up gloriously, all the neighborhood boys standing round, tossing bangers at each other and sending up rockets. The older element tried to smoke cigarettes and made amateurish attempts to impress the few girls present.

In the weeks before, while fireworks were on sale, experiments were undertaken. Bangers could be dropped into milk bottles (*not* recommended) or down street gratings, poked up drainpipes, or, in the open fields beyond the edge of the town, imbedded in cowpats. I am proud to say that I went considerably beyond these merely explosive adventures. Inspired by Werner Buedeler's book *To Other Worlds: Telescopes, Rockets, Stars*, which I had read from cover to cover a dozen times over, I was bent on constructing a multistage launch vehicle by tying two store-bought rockets together and adjusting the lengths of their fuses. I actually got this to work, and even achieved separation of the two stages, though the development budget wiped out a month's pocket money.

We had never heard of Halloween back then. I am told that nowadays, in the glutted abundance of postindustrial society, English kids celebrate both festivals. In fact, Guy Fawkes and his 1605 plot against King James I notwithstanding, they are both the same festival. Fifty years ago, as Iona and Peter Opie noted in their book *The Lore and Language of Schoolchildren*, "When darkness closes in on the vigil of All Saints' Day, Britain has the appearance of a land inhabited by two nations with completely different cultural backgrounds . . ." Half the nation celebrated Halloween, half held off until Guy Fawkes Night.

Both halves were keeping alive a tradition that stretched back to long before the wars of religion. The pastoralists of the ancient British Isles divided the year not according to planting and harvests but at the points where livestock could be released to graze freely, or needed to be brought in to the homestead stalls. With the coming of winter, cattle could not be left out on frozen pastures to suffer cold and darkness. Neither could the spirits of the ancestors. All needed to be brought in to warmth and light. The economics of winter feeding demanded that many animals be slaughtered. Their meat was salted away, their bones burned in the welcoming fires—bone fires. From a roadside somewhere in France on a hot June evening in 1915, Private John Henry Knowles, my mother's father, wrote to my grandmother: "Dear wife tell my sons we are close to the big guns and people walk about as if it was bonyfire night . . . " Granddad, though barely literate, had his etymology right.

The Opies: "The Guy has long ago been burnt and forgotten. The last firework has been exploded. The bonfire becomes all-important, and somehow it seems to be a heathen Hallowe'en fire they are attending." I remember, I remember. **NR**

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WILLIAM F. BUCKLEY JR.

It Can't Be Said in Simple Words

THE charge that the Bush administration is something of a closed society keeps coming up, for instance in the matter of Vice President Cheney and Lewis Libby. Why doesn't Mr. Cheney simply release his version of what went on in the matter of disclosing the employment of Mrs. Wilson? The question is complicated by Cheney's anxiety not to say anything that might get in the way of the defense story when it is finally articulated. But whatever the reservations, we have here an Administration Silence that annoys, vexes, and even outrages.

The reaction to this Silence came to a boil recently at a White House briefing at which Scott McClellan, the press chief, took on the matter of torture.

It's relevant here, by way of perspective, to remind ourselves that the Geneva protocols to which the United States subscribed back in 1949 were something of a casualty of 9/11. The president said then that terrorists do not fall neatly into the category of enemy combatants, for whom the Geneva codes were written.

But it is not specified in language available to the public just what the singularities are. President Bush has said that the Geneva principles continue to govern U.S. behavior in dealing with detainees. Sen. Jay Rockefeller has asked for a congressional investigation, and Sen. John McCain wants a new law that would specifically and unequivocally govern the conduct of our military . . . Our military? Does that include the CIA?

Such questions are being asked, and press chief McClellan attempted to preempt a parsing of them by saying, "I think the president's made our position very clear. We do not condone torture, nor would he ever authorize the use of torture. We have an obligation to abide by our laws and our treaty obligations, and that's what we do. That is our policy."

A questioner wanted to know how the president would react to the proposed legislation. "Does the administration want the CIA exempted from that law?"

McClellan: "We've stated our views on that amendment. The House passed a different version of the Department of Defense spending legislation. The Senate included some language on that. We'll be working with congressional leaders as they move forward to pass that legislation."

Questioner: "I don't get it. Is that a yes or a no?"

McC: "I'm not going to get into discussions that we're having with congressional leaders about how to move forward on that legislation."

Q: "You've already said the president is going to veto anything that would exempt us from torture. You have—this White House demeans—"

McC: "That's not correct."

Q: "You demean all Americans when you support torture. And your answer is so fuzzy. First—"

McC: "Our answer is very clear. And that's flat-out wrong, what you're suggesting, because this president has made it very clear what our policy is."

And on we go. Soon the questioner was asking for hemidemisemiquavers of distinction. Okay, the president doesn't condone torture. "But does he allow it?"

The issues are complicated by contextual questions. The Geneva paradigm prohibits treatment that is cruel, humiliating, or degrading. A member of the Taliban who has been for two years at Guantánamo can persuasively plead that he has been degraded, humiliated, and subjected to cruelty. The kind of objectivity possible in congressional hearing rooms and salons of justice in Geneva is not reached in the murk of terrorist warfare. Rules governing conduct in espionage and counterterrorist activity are not readily enunciated.

No one has the right to preach to Senator McCain on the subject, inasmuch as he is one of the providential survivors of torture in its most elaborated forms. What the administration appears to be resisting is endorsement of legislation that suffers from inbuilt rigidities that preclude the realities. Does the CIA require, for the success of its operations, a greater license than the military? Have we thought through the implications of anti-terrorist activity? If not, is Guantánamo a fetid creature of that confusion?

The administration has access to very bright and thoughtful civil servants, but they cannot shield the administration from the consequences of failing to think through the dilemmas it is in.

Presidential Dilemmas

SEN. JAY ROCKEFELLER, an intelligent and resourceful liberal, was made to listen to part of a statement he made in 2002. In that statement he spoke of the alarming developments within Iraq, of Saddam Hussein attempting an acquisition of weapons of mass destruction.

"You want to revise and amend those words, Senator?" Wolf Blitzer asked him on CNN.

"Of course. I mean, I was dead flat wrong. . . . I'm on the Intelligence Committee, and as soon as we did our report on weapons of mass destruction, I realized that I had just been living off this information, this false information. And I went down to the floor of the Senate and I said, Look, I'm wrong. I would never vote for a war knowing what I know now."

Okay.

Two questions arise from this experience. The first is: Should Bush have urged a military operation against Saddam on evidence which proved to be either wrong or insubstantial; sometimes, both? The second is: How do we account for the terrible misestimations of our intelligence services? We learned only recently that we are spending $44 billion a year to gather intelligence. It's always wrong to assume that there is a correlation between the money spent and productivity, but what reason is there to be confident that critical personnel in CIA and in DoD will go on other than to receive Presidential Medals of Freedom?

But of course there is an overarching irresolution here. If we agree with Senator Rockefeller that we ought not to have gone to war, we are still left with the fact that we did go to war. This imposes on

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the president a running responsibility to vitalize the argument for going to war. One presidential critic over the weekend objected that an entire year had gone by since Bush had said anything substantial in the matter of the Iraq war: Why does he not bring us up to date on it regularly?

There is only the obvious answer to that question: What would he say? One supposes that no national leader, in wartime, would feel any need to publicize that day's defeats. That would make sense only if it served to stress the larger picture that forwarded the national purpose. There are such opportunities, for instance the elections, past and forthcoming, which suggest a corporate Iraqi desire for freedom and civil order. But the regime change the president seeks, and has boasted of, cannot be transcribed in spotty events invigoratingly enough to relay to the republic a sense of purpose-being-achieved. It has to be for this reason that we hear so little from the president on the subject of Iraq. When this is combined with an apparent indifference to recomposing our intelligence community, the idea is given of executive lassitude in wartime, and that is greatly damaging to the public morale.

Granted Mr. Bush has other difficulties. But it is not safe to conclude that they are unrelated to his central problem, which is the Iraq war. He has presided over gratifying months in the national economy and responded to the demands of the judiciary. But these are not accomplishments that endow his administration with the kind of international respect the U.S. deserves, and is forlorn without. His Latin American exposure as advocate of hemispheric free trade was a substantial failure, and not alone traceable to the provincialism of individual Latin American republics, or the passionate socialist demagogy of President Chávez.

It was concluded by some friends of the president that he made a mistake in going to Mar del Plata. National leaders shouldn't decide where to go, let alone what to do, to avoid student protests. With a little hype you could organize a student protest against the promulgation of the Bill of Rights or the unveiling of the Venus de Milo.

Still, national prestige hangs to an important extent on the figure of the leader, and when he is demeaned, so is our cause. And the challenge is one of leadership.

Gallic Disruptions

THE French turmoil is explained, by many who have trained their eyes on it, as a reaction to continued French discrimination. To give evidence of this, the critics cite preferences shown by employers to applicants whose names are indisputably French, with no Algerian or Muslim overtones. One story cited résumés with straightforward French names receiving 50 times the presumptive hospitality shown to applicants with Muslim surnames. And every third story cites what continues to be thought the matrix of French political life, which is the revolution. There are those who hoped that Charles de Gaulle would take advantage of his historical eminence to jettison the revolution. Not a chance. His farewell toast to the nation that finally rejected him was, "Vive la France. Vive la Révolution." A few years earlier he had contributed to the pacification of Canada, by saying, while visiting Montreal, "Vive le Québec libre. Vive le Canada français."

One is perhaps grateful that, in the modern mode, the execution block dispatches automobiles, rather than dukes and failed politicians. But if it is true that the protesters in the year 2005 are inflamed by the tradition of a revolutionary past, then we have at least one reason for resistance to upward mobility among second generation French with parents born in Algeria. Such young men inherit not only the tradition of French revolution as the answer to life's shortcomings, but also Algerian revolution. First, against French colonialism; second, against victors over French colonialism; third, over victors over the victors over French colonialism. Round and round it went in Algeria, more than a million bloody victims of dissatisfaction and irresolution. If the Algerian tradition is invoked in order to understand the French-Algerian community, there is some clarity at both ends—French who are suspicious of the second class French-Algerian citizen, and French-Algerian citizens who resent the long hard road of integration.

President Chirac announced that he would not discuss the unrest until after it had been quieted. That is the sensible course to take, but it does not automatically quiet the fervor. If the planted axiom of the protesters is that only revolution can bring progress, then the staunching of revolutionary activity is a step in the wrong direction, capitulationist, defeatist. What, on the other hand, the revolutionists lack is a program concrete enough to give them any sense of satisfactions achievable. In 1959, the objective was pretty plain: the secession of Algeria as a department of France. A hundred and seventy years before, the objective was the overthrow of the monarchy and of a ruling aristocratic class. What would satisfy the existing revolutionaries as a corporate ideal? The elimination of the automobile? If so, it being obvious that that is never going to happen, then the contrapositive needs to be considered: The revolution will be endless. That is formal logic.

The French are disposed to violent protesting, as we saw in 1968. It required the majestic authority of de Gaulle to stabilize the nation, but that year France had the bad company of revolutionary protests in many parts of the world, notably Mexico City and Rome and Tokyo. It would be just to say about the French that there is a disposition to revolutionary activity in the Gallic gene which does not afflict Britain and Germany, let alone the United States, where multiculturalism is now a way of life. No modern country has had a greater calcification of discrimination than our own, where an entire race was first enslaved and then ghettoized for a hundred years. But those who thought of protests framed in revolutionary activity found there was not much patience for violence, and gave it up after riots in a few ghettoes and college campuses.

In France there is the modern piquancy of tender loving state care for the revolutionary class, which receives free medicine, free education, and free welfare checks and unemployment checks. Whether that paradox will awaken counterrevolutionary cunning in the government of Chirac remains to be seen.

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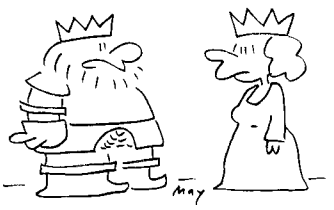

"Does this armor make me look fat?"

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happy warrior

MARK STEYN

Don't Worry, They Have Baseball Bats

For the last couple of weeks, most of the Western media have been as overheated as a Renault 5 in Clichy-sous-Bois in their insistence that these riots have nothing to do with Islam. "The mayhem has yet to take on any ideological or religious overtones," the *New York Times* assured us. "This has nothing to do with religion," a Muslim told the *Washington Post*. Never mind the cries of "Allahu Akbar!," never mind the invocation of "jihad" by at least some of the "youths," never mind the particular care given to the incineration of Jewish targets, never mind the fact that the French government itself turned to various bigshot imams in an attempt to pacify *les banlieues*.

Instead, the move-along-folks-no-jihad-to-see-here crowd points to the rioters' fondness for drugs, caterwauling rappers, casual sex, and hideous Western leisurewear as evidence of how culturally assimilated they are. Why, they threatened their victims with baseball bats!

Hold it right there for a minute. That's how we define "assimilating" into Western society at the dawn of the 21st century? If a fellow deals a little coke while wearing pants with a gusset located at calf height while singing along to the remix of "Slap Up My B**ch," we say, hey, he seems to be fitting in very nicely? No need to worry about his getting any wacky ideas down at the madrassah, he's an impeccably secular pluralist Peugeot-torcher.

It's true that the rioters look rather less foreign than, say, the stern young men in the mosques of Peshawar or the training camps outside Jalalabad. But, on the other hand, so did Mohamed Atta and his 18 confreres. They were very well "assimilated" by Clichy-sous-Bois standards. If you recall, in the days after 9/11 a flurry of all-American cocktail waitresses, lap-dancers, and prostitutes popped up to say they remembered Mohamed and Marwan and Majed and the rest of the gang chugging vodkas, groping strippers, renting porn videos—just like fully assimilated citizens of advanced Western democracies. They were said to have patronized, inter alia, Shuckums of Hollywood, Fla., Cheetah's of San Diego, the Pink Pony of Daytona Beach, and Nardone's Go-Go Bar of Elizabeth, N.J., none of which rates a mention in even the racier suras of the Koran. And none of which prevented the guys from drinking up, leaving a tip (lousy, according to the gals), and flying their planes into the Twin Towers on Tuesday morning.

The July 7th London bombers were also impeccably assimilated: They ate fish 'n' chips and loved cricket. Omar Sheikh, the man believed to have masterminded the beheading of Daniel Pearl, is, in fact, an Englishman, educated at an English public (i.e., private) school and the London School of Economics. And so it goes: Somewhere right now far away from these shores, there's a guy sitting in a Yankees cap, wearing a Disney T-shirt, listening to Britney Spears—and plotting to bomb America.

The old Baathist mass murderer and I share the same favorite singer—Frank Sinatra.

The two are not mutually exclusive. They never have been. *The Merry Widow* was both the biggest smash on Broadway and Hitler's favorite operetta. In a not entirely persuasive attempt to humanize the old KGB hard man, Yuri Andropov was widely touted as a Glenn Miller fan. Former Chinese Communist leader Jiang Zemin could hardly attend a state banquet without getting up and singing Elvis's "Love Me Tender." Saddam Hussein is not just assimilated with Western culture, he's eerily assimilated with NATIONAL REVIEW's back-page columnist: The old Baathist mass murderer and I share the same favorite singer—Frank Sinatra. If you dialed up Amazon.com's "We have recommendations for you!" CD page, Saddam's and mine would be identical. Even more unsettling, we share the same favorite candy—Britain's "Quality Street" chocolates, especially the big gold-wrapped toffees the shape and size of the old English penny. "Quality Street" was named after a 1902 West End hit by J. M. Barrie (of *Peter Pan*) whose principal characters were a loyal soldier of the Queen and his bonneted sweetheart. In the early advertisements for the toffees, the lovebirds were renamed Major Quality and Miss Sweetly:

Major Quality: "Sweets to the sweet, Miss Sweetly."

Miss Sweetly: "Spare my blushes, Major Quality. Feast your eyes rather on this sumptuous array of toffees and chocolates."

Put Saddam and me on a sofa with a box of "Quality Street" and we'd be billing and cooing like Major Quality and Miss Sweetly—right up until he called security to feed me feet first into the industrial shredder.

There's no contradiction between a liking for Western pop culture and a loathing of Western civilization. Merely the latest in a long tradition, Mahmoud Khabou, the 20-year-old unemployed son of Algerian immigrants in Clichy-sous-Bois, understands more clearly than the media that jihad is by no means incompatible with conventional forms of Western delinquency. Asked by a reporter to name his heroes, he replied, "Osama bin Laden and Rodney King."

The Snoop Dogg CDs, the chips, and cricket aren't enough. In Yorkshire and in *les banlieues*, these "youths" have adopted so many Western trees we can't see they lack the big overarching forest—the essence of identity, of allegiance—if, indeed, France and Britain still have one.

If by "cultural imperialism" you mean movies and pop songs, America's very successful. If by "cultural imperialism" you mean the export of a core identity that transcends national citizenship, then political Islam's the big globalization success story. Under the Western rap tracks and drug habits and fashions, the core identity of these young men is Muslim. **NR**

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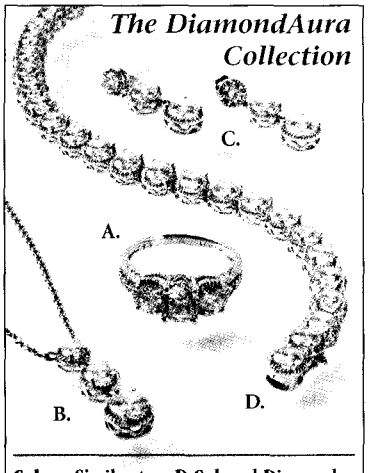

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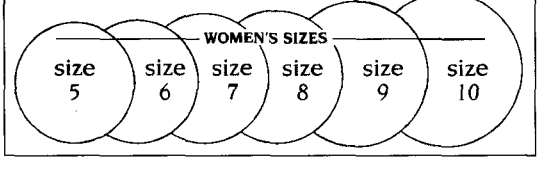

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Alabama	48
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Mississippi[2]	50

Your state's legal system may hurt you more than you know. Companies are hesitant to do business in a state with a reputation for unfair court systems. Lost business means lost jobs. Fewer workers bear a higher tax burden to pay for schools, roads and public services. Lawsuits cost every American $845[1] a year. It's enough to make you scream.

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[1] A January 2005 Tillinghast Towers Perrin study estimated the cost of the U.S. tort system to be $245 billion in 2003, or $845 per person.
[2] Mississippi has recently made reforms to its legal system that, when fully implemented, may change its future ranking.

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